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BENGAL LEGISLATIVE ASSEMBLY
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Fourth Session, 1938

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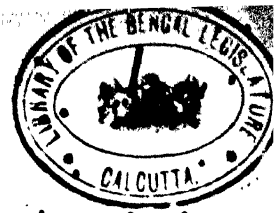

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N

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THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Fourth Session.)

Volume LIII—No. 1

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 29th July, 1938, at 3-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 237 members.

Oath or Affirmation.

The following members made their Oath or Affirmation of allegiance to the Crown:—

Miss P. B. Bell-Hart

Mr. R. B. Whitehead.

Mr. Iswar Das Jalan.

Mr. R. J. Hawkings.

Mr. L. M. Blomenstok.

Panel of Chairmen.

Mr. SPEAKER: In accordance with the provisions of rule 3 (section 6) of the Bengal Legislative Assembly Rules, 1937, I nominate the following members of the Assembly to form a panel of four Chairmen for the ensuing session:—

(1) Sir George Campbell,

(2) Mr. Sarat Chandra Bose,

(3) Khan Bahadur Hashem Ali Khan, and

(4) Mr. M. Shamsuddin Ahmed.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Assembly in my absence and in the absence of the Deputy Speaker.

STARRED QUESTIONS

(to which oral answers were given)

Establishment of the Civil Courts of Murshidabad.

*1. **Maulvi ABDUL BARI:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Departments be pleased to state how many clerks are there at present in the Civil Courts in the district of Murshidabad?

(*b*) How many of these are Mussalmans and how many Hindus?

(*c*) How many clerks are there in the Upper Division and how many of them are Mussalmans?

(*d*) Is it a fact that there is not a single Mussalman in the Upper Division in the Civil Courts at Murshidabad?

(*e*) How many clerks are in the selection grade in that district, and how many of them are Mussalmans?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) 90.

(*b*) Mussalmans 30. Hindus 60 (of whom 2 belong to the Scheduled Castes).

(*c*) and (*d*) 14 and 1.

(*e*) There are three posts in the upper grade of the Upper Division; none of these is held by a Muhammadan.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state why the percentage of Mussalman appointments in the district of Murshidabad has not increased though the reforms have been working for the last two years?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I will look into the matter.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether the next vacancy in the upper grade of the Upper Division will be filled up by a Muhammadan?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes, if there is a qualified Muhammadan available.

Maulvi ABDUL BARI: Is the Hon'ble Minister aware that even during the last 6 months there were two vacancies in the upper grade of the Upper Division but that both of them have been filled up by Hindus and not by Muhammadans?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: May be like that.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether any circular has been issued increasing the number of Muhammadan appointments?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Well, a circular is already there. No new circular has been issued.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether there is any dearth of qualified Muhammadans for filling up vacancies in the upper grade of the Upper Division?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I may say that the upper grade comes out of the lower grade, that is to say, by means of promotion from the lower grade——

Mr. SYED JALALUDDIN HASHEMY: The question of qualified Muhammadans does not arise

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Let me make the matter clear So far as the question of appointment is concerned, we first appoint men in the lower grade and then promote them to the higher grade So that the upper grade is filled not by direct appointment but by promotion.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if the proportion of literate Moslems to literate Hindus is in the ratio of 30 to 60?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL BARI: How many appointments have been made during the last two years in the district of Murshidabad?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: That is too wide a question which I cannot answer off-hand.

Maulvi ABDUL LATIF BISWAS: Is it not a fact that there is a circular to increase the number of Muslim appointments, and, in view of that fact, will the Hon'ble Minister consider the desirability of enquiring whether that circular has been strictly adhered to or not?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: We have to depend on the reports of local officers as to whether the circular is strictly followed, and we have always found that nothing wrong has yet been done in Murshidabad.

Maulvi ABDUL BARI: Is the Hon'ble Minister aware that a wrong has been done within the last six months during which more appointments have gone to Hindus than to Moslems?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I am prepared to enquire into the matter.

Operation of Irrigation Act in Rajshahi.

*2. **Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether any works or projects have been made under the Bengal Irrigation Act for the improvement of agriculture in the Rajshahi district since the Act came into force?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the names and nature of those works or projects;

(*ii*) amount of money spent for those works or projects;

(*iii*) the localities where those works or projects have been executed; and

(*iv*) the annual maintenance cost for those works or projects?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Cossimbazar): (*a*) No.

(*b*) Does not arise.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether there is any such work or project in the contemplation of Government in the Division in question in the near future?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It is very difficult to say what will happen in the near future.

Mr. SYED JALALUDDIN HASHEMY: Does the Hon'ble Minister realise the necessity for such a project in Rajshahi Division?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Certainly I do, not only in Rajshahi but in other places as well, but the matter depends upon the mentality of the local people.

Mr. SURENDRA MOHAN MAITRA: What is meant by the mentality of the people?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Their willingness to pay their dues.

Mr. SURENDRA MOHAN MAITRA: Have any attempts been made by the department to realise these dues?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I could not understand what the hon'ble member meant by an attempt for the realisation of dues. If there is no scheme, there is no question of realisation. But the experience of Government is not happy in other places.

Mr. M. ASHRAF ALI: Is there any scheme at present under contemplation?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: What I have already stated in my answer is a question of fact, but whether there are possibilities in this direction is a different matter.

Mr. M. ASHRAF ALI: Is the Hon'ble Minister aware that there are areas in Rajshahi which are totally under water during the greater part of the year?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I am aware that there are some *beels* and marshy areas as referred to by the honourable member not only in the district of Rajshahi but also in other districts.

Metalling of the Comilla-Daudkandi Road.

***3. Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) the year in which the metalling of the Comilla-Daudkandi Road was undertaken for the first time;

(*b*) the length of the road;

(*c*) the portion of the road which has been metalled;

(*d*) whether the Government is aware that the delay in metalling the road has been causing inconvenience to the people of the locality; and

(*e*) whether the Government contemplates expediting the work?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) 1931.

(*b*) 31 miles.

(*c*) 13¾ miles from Comilla to Barkanta.

(*d*) No.

(*e*) Yes.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state why out of 31 miles only 13½ miles were metalled in seven years?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I am afraid it will not be possible to go into details. Various factors stood in the way, but Government are doing their utmost to see that things are done more quickly than in the past.

Dr. NALINAKSHA SANYAL: Was it due to the utter inefficiency of the Department?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: By no means.

Dr. NALINAKSHA SANYAL: Is it a fact that the delay was due to the failure of the departmental Engineer to draw up a technical estimate in time?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: No. It was mainly due to difficulty in getting some data in time for this project.

Dr. NALINAKSHA SANYAL: Is it not a fact that sanction was given in 1931 after the data had been duly collected?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It seems that the honourable member knows more than I do.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I submit there is no reply to my question. The Hon'ble Minister should give me a suitable reply and not try to dodge the question. May I know definitely whether any attempt has been made by his department and himself to investigate into the causes of delay and to punish those officers for whose negligence or inefficiency this delay has been caused?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: If Government find that the delay was due to the negligence of any officer, Government will certainly deal with him properly.

Mr. SANTOSH KUMAR BASU: Does not the Hon'ble Minister consider it his duty to make himself aware of more details pertaining to his department than what the honourable member who put the question is aware of?

Mr. SPEAKER: That is a matter of opinion.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to state what are or were the data necessary for those works or projects?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I want notice.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that unless the funds are spent in time, we shall not get the grant that we are entitled to?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: So far there has been no case for such apprehension.

Central Road Development Fund.

*4. **Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to lay on the table an up-to-date statement showing—

(*a*) the amount received by the Government of Bengal from the Central Road Development Fund;

(*b*) the amount thereof spent; and

(*c*) the amount spent for the works, district by district?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) Rs. 1,07,62,000.

(*b*) Rs. 75,24,000 up to March, 1938.

(*c*) The information is not available as grants from Road Development Funds are allotted for specific projects and not to district by district.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state why more than Rs. 30 lakhs remain unspent?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, I had occasion to place before the House the reasons for the large accumulation of money from the Road Fund during the last budget discussion, and I do not think it will be possible to give that answer in the shape of a reply to this question.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if any amount has been left unspent from the grant of the Central Government?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: No amount has lapsed so far.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state with reference to the reply just given if he is aware that the Central Government passed a resolution wherein there is a proposal for the resumption of a part of the grant not so spent?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Certainly, Sir, the Government of India has every right to resume any part or whole of the grant if we fail to make proper arrangements for the execution of a road construction programme. If we fail to utilise the grant in the proper way, certainly the Government of India have a lgitimate right to withhold or cancel the grant.

Mr. SANTOSH KUMAR BASU: Does the Hon'ble Minister consider that Government have been doing their best for the purpose of making a proper use of the funds provided by the Central Government?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Certainly. It seems that I have got to explain to the House some of the facts I mentioned during the budget debate. When I assumed charge of my office in April 1937, there was an accumulated amount of nearly Rs. 42 lakhs for which there are good reasons but we were not responsible. In the first year we budgeted for about Rs. 22 lakhs and we were able to spend about Rs. 15 lakhs. We were not able to spend the whole amount for various reasons which I had occasion to place before this house in some detail during the last budget discussion. This year we have provided for Rs. 26 lakhs and we hope to spend the whole amount.

Road projects, bridges and culverts in Murshidabad.

5. Maulvi ABDUL BARI: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state how many road projects, bridges and culverts have been sanctioned on the recommendation of the Road Board in the district of Murshidabad?

(*b*) What are their names?

(*c*) How many of them are under construction, and which of them are to be taken up and in what year?

(*d*) What amount of money has been allotted to the district of Murshidabad from the Road Development Fund in 1938-39?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) None.

(*b*) and (*c*) Do not arise.

(*d*) Nothing, as no lump sum grant is allotted to a district from the Road Development Fund. Grants are made for specific projects.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state why no road, bridge or culvert has been taken up in the district of Mudshidabad?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Bridges and culverts are taken up according to a road scheme. As I have already mentioned, so far we have not taken up any scheme for the district of Murshidabad. There is one scheme which has been sent to the Government of India and which is known as the Sainthia-Sultanpur-Kandi scheme. When sanction to that scheme is obtained, we will take up all culverts and bridges necessary for that road scheme.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state who prepares these schemes?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Schemes are prepared by the department.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if he is not aware of the necessities of bridges and culverts in the district of Murshidabad, he himself being a resident of that district?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, I may inform the House that this fund is not meant for that purpose. It is meant for specific road projects and the sanction of the India Government has to be obtained for each scheme.

Bemorta canal in Khulna.

***6. Mr. ABDUL HAKEEM:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether any enquiry with regard to the excavation of the Bemorta canal in the subdivision of Bagerhat, district Khulna, has been made?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the approximate number of boats that ply along this Bemorta canal daily;

(*ii*) the names of districts through which these boats pass;

(*iii*) whether there is any other cross-channel or outlet to the Baleswar river save and except this Bemorta canal from the west;

(*iv*) whether the Government have taken the opinion of the Chairman, District Board of Khulna, on the question whether this Bemorta canal is a provincial matter;

(*v*) if so, what is the opinion given by the Chairman; and

(*vi*) whether the Government has prepared any estimate of expenditure for the proper excavation of this Bemorta canal?

(*c*) Have the Government considered the desirability of undertaking the excavation of the Bemorta canal?

(*d*) Have the Government decided to undertake the actual work of excavation of this Bemorta canal next winter?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Minister be pleased to state the reasons?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) Yes.

(*b*) (*i*) I have no information.

(*ii*) Khulna and Barisal.

(*iii*) Yes, the Attrabanka river, Biskhali river and many other small channels.

(*iv*) Yes.

(*v*) According to him a provincial matter.

(*vi*) An estimate was prepared in 1931.

(*c*) The matter is being considered.

(*d*) and (*e*) Do not arise.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether he does not know that the Attrabanka river does not admit of any steamer communication during the summer months, and the Biskhali river is long dead and gone?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I think the hon'ble member is correct.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether it is in the contemplation of the Government to undertake the scheme in the near future considering the seriousness of the situation in Bagerhat subdivision?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Government realizes the seriousness of the situation, but the delay is due to the complexity of the problem. The waterway in question being the meeting place of two tidal waves, chances of re-siltation is very great and the Government experts are trying to devise ways and means to deal with it.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether an estimate was prepared in 1931 under the instruction of the Government or not?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I know of one estimate being prepared in 1931, but I do not think that we can rely upon that estimate which was prepared seven years back. The whole question is being re-examined by Government and the time we had, certainly is not sufficient to deal with a problem which, as I have already stated, is so complicated in nature.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to s whether the enquiry refers to the enquiry made by the Hon Minister or to the enquiry that was made between 1930 and 1931?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimba If it was the enquiry of 1931, certainly those papers would have l before Government, and I would not have given that reply.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister pleased to state whether any steps have been taken to revise the mate of 1931 in view of the answer just now given by him?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimba That is exactly what is being done.

Babu NAGENDRA NATH SEN: Will the Hon'ble Ministe pleased to state whether any action has been taken after the esti of 1931 was prepared?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimba Sir, during the period between 1931-36 the Government of Be were very much hard up and had no money to spend for the sche naturally the whole thing was shelved. Realising the importanc the scheme we took up the re-examination of the scheme last year.

Kumar river.

*7. **Mr. MD. ABUL FAZL:** (*a*) Is the Hon'ble Minister in cha of the Communications and Works (Irrigation) Department aware—

(*i*) that the portion of the Kumar river from Sindia Ghat to C mugaria remains blocked up for over six months in the y

(*ii*) of the erection of lock and sluice gates in places within portion by Government; and

(*iii*) that not only communication, but the health of the peopl the area have greatly deteriorated since the erection of sluice gates?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon Minister be pleased to state what steps, if any, are being taken for re-excavation of that portion or otherwise removing the distress of people of the locality?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) (*i*) This portion remains unnavigable to steamers and big boats from November to April every year.

(*ii*) Yes.

(*iii*) Deterioration of health, if any, cannot be caused by the locks and sluices through which copious flood spill is admitted every year.

(*b*) A scheme for conservancy of the Lower Kumar river, if possible, is under investigation.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether he is aware that a large amount of money has been spent on the sluices in the lower Kumar river just to keep the river navigable?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, I want notice.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state who is responsible for the failure of these things?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, I want notice.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state with reference to answer (*iii*), whether the opinion of the Public Health Department is based upon statistics?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, it is very difficult for me to answer that question, but I believe the opinion of the department must be based on some statistics.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state with reference to anwser (*b*), what natural animal qualities the Lower Kumar river has developed to necessitate conservancy arrangements?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: The reply is given as "A scheme for conservancy"——

Mr. SPEAKER: No, you should not have asked that question.

Ghatal-Arambagh Road.

*8. **Mr. HARENDRA NATH DOLUI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether it is a fact that the previous Minister in charge of the Local Self-Government Department—

(*i*) received two deputations in connection with Ghatal-Arambagh Road in the year 1936; and

(*ii*) took up in consultation with Mr. King, the Special Officer, Bengal Road Development Projects, the desirability of constructing the said road?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the said road has received the attention of the Road Board and estimates have duly been prepared and sanctioned; and

(*ii*) whether the road is likely to be constructed?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) (*i*) One deputation only was received.

(*ii*) A petition regarding this road was sent to Mr. King for consideration in preparation of his road development schemes.

(*b*) (*i*) No.

(*ii*) Will be considered with the Comprehensive Road Programme.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state when this comprehensive road programme will be considered?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Well, Sir, very shortly I believe.

Floods in certain districts of Mymensingh, Dacca, Faridpur, Pabna and Rangpur.

*9. **Mr. CHARU CHANDRA ROY:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state the reasons of the untimely flood every year in the districts of Mymensingh, Dacca, Faridpur, Pabna and Rangpur?

(*b*) Is it a fact that enormous damage is done every year by this untimely flood to crops specially *aus* paddy and jute making the cultivators suffer till the next harvest time?

(*c*) If the answer to (*b*) is in the affirmative, what action do the Government contemplate taking to relieve the cultivators in the flood-stricken areas?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) Untimely rain is the cause of the untimely floods.

(*b*) No. Some damage has been caused this year by untimely floods, but normally there are no floods till the *aus* and jute are harvested.

(*c*) Does not arise.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether the River Jumna is being silted up from below and that is the only reason for the untimely flood every year and not this year alone?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Siltation from below may have some connection with the untimely flood of Jumna. There might be also other reasons for it. It is for the experts to say.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether the cause of the flood is due to overflowing of the big rivers in those areas?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: The cause of the flood of the smaller rivers may be due to the flooding of the bigger rivers.

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that the Hon'ble Sir Bijoy Prasad Singh Roy after an extensive tour in the flooded areas issued a statement and in his statement he admitted that jute and *aus* crops have been totally destroyed by floods in certain flood-affected areas as against answer (*b*), namely, "some damages have been caused this year by untimely floods——"?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I would refer the hon'ble member to the question itself. It is not a specific question to ascertain the damage of this year. That is only a general statement.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether in these three years continually the lower lands of the Tangail subdivision, and the subdivisions of Jamalpore,

Serajgunge and Faona Sadar, are being washed away and in this way the *aus* paddy and jute could not be had by the cultivators for these three years continually?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, Government are aware of the occasional flooding of those areas, and would certainly do their best to do what they can to stop or to control it as far as practicable.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state whether any enquiry has yet been undertaken by the Government since he came into office for the purpose of investigating the causes of floods which are referred to in this question?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It is not possible to enter into the question of the causes of floods in the five districts mentioned within a short time, but we are certainly trying to find out the causes of floods in general and their remedies.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state what definite steps have been taken by the Government in that direction which was referred to in his last answer?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It would be extremely difficult to completely solve this problem of flooding: I do not think any province has done it and, I believe, no country in the world has done it. I may assure the hon'ble member that Government will do their best what is humanly possible to alleviate the suffering of the people in this matter.

Mr. SANTOSH KUMAR BASU: Sir, I want an answer to my question. My question was very simple—what definite steps have been taken by Government. I am not asking about what is humanly possible or impossible.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I may inform the hon'ble member that whatever action Government take up will be within human limits.

Mr. M. SHAMSUDDIN AHMED: In answer to question (*b*), it has been said that some damage has been caused this year by untimely floods, but normally there are no floods till the *aus* and jute are harvested, and in answer to (*c*) it has been said "Does not arise". In the question it was said that enormous damage had been done and the Hon'ble Minister said "some damage was caused". May the House know whether Government have under their contemplation to give some relief to that "some" damage that has been done?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I wish the hon'ble member had listened to the reply which I gave just now to a similar question. My statement there was only of a general nature and that was from the departmental point of view and should not be taken as to the actual damage that has taken place this year. It concerns the Revenue Department.

Mr. PROMATHA RANJAN THAKUR: With reference to answer (*b*), is the Hon'ble Minister aware that the *aus* crops of the Rangpur district have been washed away, because of this untimely flood——

Mr. SPEAKER: Order, order! This question asks about certain general characteristics and while admitting certain special features it is only on those general aspects that supplementary questions should be asked.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to give an answer to the question put by my hon'ble friend Mr. Santosh Kumar Basu, namely, what definite steps have been taken by the Hon'ble Minister, if any?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: We had lately a conference of experts who were asked to go into the question and suggest remedies. Besides the contour survey which has been undertaken by the department, we keep records of hydraulic observations of certain rivers. I may inform the hon'ble member that to control floods several other data, such as rainfall, etc., have to be collected beforehand, and unless we can make arrangements for all these, it will be impossible to think of preventing floods.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that Government has so far done nothing in view of the fact that the data are not available and in view of the fact that——

Mr. SPEAKER: I am afraid I cannot begin explaining things to you from the very first. You know perfectly well that supplementary questions are for the purpose of eliciting information. You are giving the answer yourself, namely, the reason why such and such a thing has not been done.

Dr. NALINAKSHA SANYAL: All right: then the first part of my question stands—Government have so far done nothing in this connection.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: First, Sir, it is not a fact. Secondly, I may inform the hon'ble member that the necessary data cannot be collected within a year.

Mr. SANTOSH KUMAR BASU: Is the Hon'ble Minister aware that it is grammatically impossible to collect the "data"?

(No reply.)

Appointments and recommendations made by Public Service Commission.

*10. **Dr. NALINAKSHA SANYAL:** With reference to the reply to starred question No. 296 of the 26th March, 1938, will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) the number of cases where appointments have not been made in accordance with the recommendations of the Public Service Commission, although the Commission was consulted;

(*b*) the reason why the appointment to the post of Deputy Director of Industries could not be made according to the advice of the Public Service Commission;

(*c*) whether certain cases of promotion and transfer from one service to another as required under section 266 of the Act have not been referred to the Public Service Commission;

(*d*) whether the post of Secretary, Medical College, is one of the posts not governed by the regulations requiring reference to the Public Service Commission; and

(*e*) what are the cases in which the first nominations of the Public Service Commission have not been accepted by the Government?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): Information is being collected but I understand that it will take some time to complete. I hope to be able to answer the question fully during the course of the session.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the convention that was desired to be established by the Government of India as per their No. F.2/11/27, dated 24th July, 1927, from the Home Department, addressed to all Local Governments desiring that all Local Governments should follow the recommendations of the Provincial Public Service Commissions as far as practicable unless there are exceptional circumstances, has been accepted by this Government?

The Hon'ble Mr. NALINI RANJAN SARKER: I am not aware of any such circular of 1927.

Mr. SPEAKER: That question would only arise if there was an answer, affirmative or negative, to some part of your question. Unfortunately there has been no answer and, as such, any supplementary question as to what the policy would be, would be out of place.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. May I take it that this question will appear in the list and that it will not be taken out of my quota of questions?

Mr. SPEAKER: It is in the quota. At any time that the Government desire to give an opportunity for supplementary questions, I will put it on the table.

Mr. SARAT CHANDRA BOSE: May I know, Sir, as to when this question was admitted by you?

Mr. SPEAKER: I shall be able to give that information to-morrow.

Mr. JOGESH CHANDRA GUPTA: May I inform you, Mr. Speaker, that on the 27th June this question was admitted by you, and it was sent to the administrative department concerned, and within a month and two days no information could be given? Is that compliance with what Mr. Speaker desires in the matter of questions?

Mr. SPEAKER: I just now find that we sent the copy to the administrative department on the 27th June.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Finance Minister be pleased to give some idea as to the number of cases where appointments have not been made in accordance with the recommendations of the Public Service Commission?

The Hon'ble Mr. NALINI RANJAN SARKER: I cannot give an answer to this question without looking into the facts.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Finance Minister be pleased to state whether he has any idea at all as to the number of cases, whether it is 1, 2, 3, 4, 5, 6 or more?

The Hon'ble Mr. NALINI RANJAN SARKER: No idea.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether in the matter of appointments the recommendation of the Public Service Commission has got any hand?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: In course of collection of further information as stated in the reply, will the Hon'ble Minister be pleased to enquire into the following matters, namely, whether the posts of Public Prosecutors and Government Pleaders which were hitherto controlled by the Public Service Commission have been taken out of their hands by a special regulation under section 266 of the Government of India Act?

Mr. SPEAKER: This is a question of private request; I have got nothing to do with it. If this is a point on which you want information, I will certainly communicate that wish of yours.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to give this House some idea as to the reasons why the appointment of the Deputy Director of Industries could not be made according to the wishes of the Public Service Commission?

The Hon'ble Mr. NALINI RANJAN SARKER: I cannot give any idea as to the reasons to-day

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether the Government of Bengal or the Public Service Commission is supreme in the matter of such appointments?

Mr. SPEAKER: That question does not arise.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to state whether he has any idea as to whether the post of Secretary, Medical College, is one of the posts governed by the rules requiring reference to the Public Service Commission?

The Hon'ble Mr. NALINI RANJAN SARKER: I am afraid, the Leader of the Opposition is ignorant of the procedure. It is——

Mr. SANTOSH KUMAR BASU: Is that an answer to the question put by the Leader of the Opposition?

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to explain to you, Sir, and to the House the nature of the ignorance on my part which he is complaining of?

The Hon'ble Mr. NALINI RANJAN SARKER: I am in charge of the Finance Department and appointments are made by different departments and unless and until I get information regarding the appointments from those departments, I cannot answer such questions.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state how long will he take to complete the collection of this information?

The Hon'ble Mr. NALINI RANJAN SARKER: I said in my answer that during the course of this session I hope to be able to give answers.

Mr. NIHARENDU DUTTA MAZUMDAR: Cannot the Hon'ble Minister give a more definite answer as to how long he will take to answer these questions, say, by the middle of this session?

The Hon'ble Mr. NALINI RANJAN SARKER: I am unable to say definitely.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state as to how long he will take to liquidate his ignorance in this matter?

Mr. SARAT CHANDRA BOSE: On a point of order, Sir. It is a disgraceful state of things that in this House—

The Hon'ble Khwaja Sir NAZIMUDDIN: Is that a point of order?

Voices: Order, order. Let him finish.

Mr. SPEAKER: What are you referring to, Mr. Bose?

Mr. SARAT CHANDRA BOSE: I was drawing attention to the delay.

The Hon'ble Khwaja Sir NAZIMUDDIN: Are comments allowed in doing so?

Mr. SPEAKER: I think every member should be given some allowance so long as the question is on the table, but it should be as short as possible and without any comment.

Calling of a large number of members of the Coalition Party to Calcutta by the Hon'ble Chief Minister.

*11. **Mr. MD. ABUL FAZL:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether it is a fact that a large number of members of the Coalition Party of the Assembly were called to Calcutta by the Hon'ble the Chief Minister by telegrams during June, 1938?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what was their number;

(*ii*) whether they billed for their travelling allowances from Government for this journey to Calcutta; and

(*iii*) if so, what amount was spent for their journey?

The Hon'ble Mr. NALINI RANJAN SARKER: No travelling allowance bills for any such meeting were either presented or paid. For the rest, I am not prepared to reply to questions concerning consultations of the Hon'ble the Chief Minister with the members of the Coalition Party.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state if the Government paid the expenses of telegrams?

The Hon'ble Mr. NALINI RANJAN SARKER: I do not know—Government did not pay.

Mr. NIHARENDU DUTTA MAZUMDAR: May I know, Sir, which part of the answer is correct?

Mr. SPEAKER: I am just looking into the question—this question deals with the travelling allowances, but there might have been other incidental expenses, but it does not arise out of this question.

Consultation with M.L.A.'s for the rural uplift work in Mymensingh.

*12. **Mr. CHARU CHANDRA ROY:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state the result of the consideration which he promised to make in the last session of the Assembly on the 8th April, 1938, about asking the District Magistrate of Mymensingh to consult the members of this House in whose constituency the schemes of works for "rural uplift" are taken up, before they are selected and approved or rejected?

(*b*) If the result of his consideration is for not consulting the members, would he please state the reasons?

The Hon'ble Mr. NALINI RANJAN SARKER: I came to the conclusion that it would not be appropriate to instruct the District Magistrate to consult particular non-officials as regards his administrations of these grants.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state on what considerations he has come to this conclusion?

The Hon'ble Mr. NALINI RANJAN SARKER: According to the Government of India Grant Rules, the ultimate responsibility rests with the District Magistrate. So it was not thought advisable to associate particular non-officials in the matter of administration of grants.

Dr. NALINAKSHA SANYAL: The suggestion being that non-officials will be consulted only as advisers and the responsibility would remain all the same with the District Magistrate, what objection could there be in the Hon'ble Finance Minister acting up to his promise to this House?

The Hon'ble Mr. NALINI RANJAN SARKER: I never promised that non-officials will be associated with the administration of grants. I said I would give this matter my consideration and after due consideration I came to the conclusion that it is not necessary that non-officials should be associated with the District Magistrate in allotting these grants.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to state whether there is anything in the Government of India Rules prohibiting consultation with non-officials in matters like this?

The Hon'ble Mr. NALINI RANJAN SARKER: I do not know.

Mr. NIHARENDU DUTTA MAZUMDAR: May I know, Sir, what is the answer to question (*b*)—whether he instructed the District Magistrate to consult the non-official members with regard to the scheme and not merely to the administration of grants?

The Hon'ble Mr. NALINI RANJAN SARKER: I have not quite followed the honourable member, but the reason is that I do not consider it necessary that non-officials should be consulted.

Mr. SANTOSH KUMAR BASU: May we know, Sir, why it was not thought necessary to consult non-officials in such matters?

The Hon'ble Mr. NALINI RANJAN SARKER: I have given the answer, and it is my business.

Mr. SANTOSH KUMAR BASU: Does not the Hon'ble Minister consider that it is the business of every member of this House to know the reasons which actuate his action? I think every member has——

(The Hon'ble Finance Minister rose to speak.)

Please, please, Mr. Sarker——

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. Is Mr. Santosh Kumar Basu in order in addressing the Finance Minister as "Please, please Mr. Sarker"? He should behave properly.

Mr. SPEAKER: I hope the Hon'ble Minister for Labour will not make my task more difficult by interruptions.

Mr. SANTOSH KUMAR BASU: I referred to the Hon'ble Finance Minister as he got up and interrupted in the midst of my question. But I question the right of the Hon'ble Labour Minister to ask me to behave properly in the matter, as the Speaker is there.

Dr. NALINAKSHA SANYAL: He should learn manners.

Mr. SPEAKER: Order, order. Dr. Sanyal, I must most strongly condemn the remark which you have made against a member of this House. While I am prepared to consider that the Hon'ble Minister should not do anything which would make the task of the Speaker more difficult, the House should not degenerate into the position in which one member should ask another to learn manners; that is not befitting any legislature.

Mr. SANTOSH KUMAR BASU: My supplementary question to the Hon'ble Finance Minister was whether he considers that it is not the business of the members of this House to find out the reasons which had actuated his action.

Mr. SPEAKER: I can quite understand that; so far as the point of view raised is concerned, it is quite pertinent, but I have got to consider whether it is relevant as a supplementary question, and I do not think it is relevant.

Mr. SANTOSH KUMAR BASU: May I make this submission with great humility—when the Hon'ble Finance Minister gives a reply to a supplementary question which itself raises another question as to the pertinence of that reply, may I not ask him whether it is not the right of every member of this House to question him as to the reasons which actuated him in the discharge of his public duties?

Mr. SPEAKER: That is the right of every member. But it cannot be raised in a supplementary question.

Babu KSHETRA NATH SINCHA: Will the Hon'ble Minister be pleased to state whether the M.L.As. are here only to vote for or against a motion.

Mr. SPEAKER: Order, order. That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: What I asked the Hon'ble Finance Minister in my supplementary question was whether he instructed the District Magistrate to consult non-officials with regard to schemes of rural uplift work and the Hon'ble Minister has answered that he did not consider it necessary to consult non-officials as regards the administration of these grants. My question relates to the schemes and so I asked the Hon'ble Minister to enlighten the House whether he thought it necessary to consult the non-officials in regard to the schemes.

The Hon'ble Mr. NALINI RANJAN SARKER: The schemes have already been approved by the Government of India and there is no necessity to consult the non-officials.

Mr. NIHARENDU DUTTA MAZUMDAR: The question was about schemes, but the Hon'ble Finance Minister has replied as regards the administration of grants.

Mr. SPEAKER: Mr. Sarker, what Mr. Mazumdar wants to know is that apart from the question of administration of grants, do you not consider it necessary that on a particular scheme which might be taken up, the non-officials should be consulted.

The Hon'ble Mr. NALINI RANJAN SARKER: The schemes have already been sanctioned by the Government of India. So at this stage it is not necessary to consult non-official opinion.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what he means by the word "particular non-officials"? Which non-officials does he mean?

Mr. SPEAKER: The Hon'ble Minister does not mean any particular non-official.

Dr. NALINAKSHA SANYAL: Let us have a reply from him, Sir.

Mr. SPEAKER: It is only a question of linguistic expression: such a discussion is not appropriate now.

Mr. NIHARENDU DUTTA MAZUMDAR: But, surely, Sir, the Hon'ble Minister must have meant something when he made the remarks in his answer regarding consulting particular non-officials! May I know, Sir, which non-officials in particular does he object to.

A voice: Bad English.

Mr. SPEAKER: Yes, I must say that the expression is not happily worded.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state, in view of the reply given to Mr. Santosh Kumar Basu's supplementary question, if the reasons are of a private nature and not of public importance and are confidential, so that he is not in a position to reveal them?

Mr. SPEAKER: The Hon'ble Minister has, I think, answered the question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the reasons are of a private and confidential nature, and are such that they cannot be revealed?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: How, Sir?

Mr. SPEAKER: Well, I am not bound to explain.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: You cannot argue with Mr. Speaker.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Appeals against the orders of the Debt Settlement Boards in Bakarganj.

1. Mr. UPENDRANATH EBDAR: Will the Hon'ble Minister in charge of the Judicial and Legislative Departments be pleased to state separately for the year 1937 and 1938 (up to June)—

(*a*) how many appeals have been preferred in the senior Munsifs' Courts of Pirojpur, Patuakhali, Bhola and Sadar in the district of Bakarganj, against the orders of the respective Debt Settlement Boards;

(*b*) how many of them have been heard; and

(*c*) how many of them are still pending?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: A statement is laid on the table.

	(*a*) Appeals filed.	(*b*) Appeals heard.	(*c*) Appeals pending.
Sadar ..	79	44	35
Pirojpur ..	195	99	96
Patuakhali ..	57	11	46
Bhola ..	6	3	3
Total ..	337	157	180

Amendments to the scales of travelling and daily allowances of the Ministers.

2. Dr. NALINAKSHA SANYAL: With reference to reply to clause (*b*)(*ii*) of unstarred question No. 27 of the 2nd March, 1938, will the Hon'ble Minister in charge of the Finance Department be pleased to state what are the amendments to the scales of travelling and daily allowances of the Ministers given effect to, from November, 1937?

The Hon'ble Mr. NALINI RANJAN SARKER: The amendment will be found in Subsidiary Rule No. 98A promulgated by Notification No. 3334F, dated the 4th April, 1938, a copy of which is placed on the Library table.

Re-excavation of the dead Dhurung khal and straightening the zig-zag course of the river Halda, Chittagong.

3. Al-Haj Maulana Dr. SANAULLAH: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether his attention has been drawn to Irrigation Branch letter No. 2102/I, dated the 25th August, 1937, and the petitions submitted on the 4th August, 1936, and the 14th June, 1938, by the inhabitants of Fatickchari and Hathazari in the district of Chittagong regarding the re-excavation of the dead Dhurung *khal* and straightening the zig-zag course of the river Halda?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state how long the matter would be "receiving the attention of the Government"?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) The question of re-excavation of the Dhurung *khal* and straightening the zig-zag course of the Halda river is under investigation.

(*b*) No decision in the matter can be reached till the collection of full data regarding water levels for over a year has been made.

Al-Haj Maulana Dr. SANAULLAH: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether there is any necessity for collecting the data regarding water levels for over a year in connection with the re-excavation of the river Dhurung?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Collection of data is essential for taking up irrigation schemes.

Dr. NALINAKSHA SANYAL: Sir, what question are we discussing now? Is it question No. 2?

Mr. SPEAKER: No, question No. 3.

Dr. NALINAKSHA SANYAL: But No. 3 was not shouted out?

Mr. SPEAKER: Then your ears and eyes were both closed at the time!

Paddy lands in the Damdama khal, Murshidabad.

4. Maulvi ABDUL BARI: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state what steps have the Government taken in saving the paddy lands in Damdama *khal*, police-station Nowda in the district of Murshidabad from being damaged by flood every year?

(*b*) Have the Government considered through their experts the question whether the construction of a sluice gate in that *khal* will have the desired effect of saving those paddy lands from being flooded away?

(*c*) If the answer to (*b*) is in the affirmative, do the Government intend constructing a sluice gate there?

(*d*) If so, when?

(*e*) If not, why not?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) An enquiry will be made and the results communicated to the member.

(*b*) A report is being called for

(*c*) to (*e*) Do not arise.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state how long Government will take in making an enquiry and submitting a report?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: As early as possible.

Maulvi ABDUL BARI: Sir, I cannot hear the Hon'ble Minister, will he please speak louder?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: As early as possible, as I have already said.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state how long does it take Government officers to make an enquiry in the mufassil and then to submit a report?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I may explain to the hon'ble member that Government have got to refer the matter to the Collector as the hon'ble member will find in answer to another question. But the answer to this particular question was not available, so it was not possible for me to give a full answer.

Maulvi ABDUL BARI: Is the Hon'ble Minister aware that som thousands of bighas of land are inundated every year in Damdama kha and this matter could very well be enquired into by the District Magi trate or his subordinates?

Mr. SPEAKER: He has already explained the necessity for th collection of data.

Maulvi ABDUL BARI: Will the Hon'ble Ministe. be pleased t state whether the matter was at all referred to the District Magistrat for an enquiry?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar I am sorry, it is not possible for me to give a reply off-hand to thi question, but I believe the matter was referred to the local officers.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister b pleased to state whether he is aware that similar difficulties have bee experienced in other areas of the district of Murshidabad, namely Kathia, Chanpara, etc.

Mr. SPEAKER: That question does not arise.

Pay of orderlies, etc., under this Covernment.

5. Maulvi ABDUL BARI: (*a*) Will the Hon'ble Minister in charg of the Finance Department be pleased to state what is the pay of th orderlies, peons and *chaprasies* under the employ of the Government residing in Calcutta?

(*b*) Do the Government intend to increase their pay or give som house allowance?

(*c*) Whether it is a fact that those orderlies applied to the Govern ment for increasing their pay or by giving them some allowance?

The Hon'ble Mr. NALINI RANJAN SARKER: (*a*) Rs. 13—1/5—17 per month *plus* a compensatory allowance of Rs. 2 per month.

(*b*) I am afraid not immediately.

(*c*) Yes.

Paddy lands in Dudhsarbil in police-station Domkul.

8. Maulvi ABDUL BARI: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether 10,000 *bighas* of paddy lands in Dudhsarbil in thana Domkul remain perpetually under water causing loss to the tenants thereof?

(*b*) Is the Hon'ble Minister aware—

(*i*) that applications had been made by the people of the locality for opening a short canal for draining out the water from the *bil*;

(*ii*) that the tenants themselves have undertaken to open their canal by public contribution; and

(*iii*) that the public approached the Collector for Government help in the matter?

(*c*) Is the Government considering the desirability of making suitable contribution for the completion of the work already undertaken?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) About 3,000 *bighas* of land of Dudhsarbil remain under water throughout the year.

(*b*) Yes.

(*c*) Local voluntary labour organised by the President, Union Board, and the Chairman, Debt Settlement Board, Jutginda, commenced the digging of the channel. The only help necessary for the purpose is the construction of 5 culverts where 5 roads cross the channel to allow carts to pass over them. The Chairman, District Board of Murshidabad, has been requested by the Collector to take up the construction work of these culverts. So no Government help is necessary at present.

Establishment of a Munsif's Court at Barrackpore.

7. Rai HARENDRA NATH CHAUDHURI: (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Departments be pleased to state whether any public representation has been received from the residents of the northern part of Barrackpore subdivision for the establishment of a Munsifi at Barrackpore with higher pecuniary jurisdiction and a local jurisdiction comprising the Bijpore, Naihati and Jagatdal police-stations?

(*b*) Is it a fact that the representation has met with the support of the District Judge and the District Magistrate of 24-Parganas?

(*c*) If and when are the Government going to give effect to the proposal made in the representation and to remove the public inconvenience and grievance?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) and (*b*) Yes.

(*c*) The proposal is now under consideration of Government.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state when the representation was received by Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I cannot give the exact date without looking into the papers.

Rai HARENDRA NATH CHAUDHURI: Has the Hon'ble Minister any idea as to how long this matter has been lying before Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: About three months.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister refer to answer (*c*) with all the implications of the word "now"? Are we to understand that the Government did not apply its mind to this representation for the last 2 or 3 months?

Mr. SPEAKER: That question does not arise. It is merely a linguistic discussion.

Memorial to the High Court by the litigant public of Mymensingh.

8. Maharaja SASHI KANTA ACHARYYA CHOUDHURY: Will the Hon'ble Minister in charge of the Judicial and Legislative Departments be pleased to state what action do the Government propose to take on the memorial to the Hon'ble High Court by the litigant public in the district of Mymensingh praying that works of local investigation, partition and possession, be distributed amongst pleaders and civil court commissioners according to the desire of the parties?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Government is not aware of any such representation. The decision in the matter rests with the High Court to whom the memorial is said to have been addressed.

Road or bridge construction out of the Road Development Fund.

9. Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) the present position of each of the projects for road or bridge construction out of the grant from the Road Development Fund, which has been—

(*i*) under examination,

(*ii*) approved by the Board of Communications but not under execution, and

(*iii*) under construction;

(*b*) the reasons for the failure of Government to take full advantage of the allotments made to this province from the Central Road Fund;

(*c*) what steps have been taken to ensure better arrangements in the current year and acting up to the full quota in the near future;

(*d*) whether the active co-operation of the Provincial Board of Communications has been sought in this connection; and

(*e*) what steps have been taken to see that the Government of India may not resume part or whole of the Road Fund allotments for this province in accordance with the terms of the Road Fund resolution of the Indian Legislative Assembly?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: (*a*) (*i*) The examination of further projects will be taken up as soon as Mr. King's report has been considered by Government.

(*ii*) The following are the projects which have been approved by the Provincial Board of Communications but have not yet been taken up:—

(1) *Construction of a road from Suri to Illumbazar with a bridge over the Ajoy river.* This project has been postponed for the present, as decided by the Provincial Board of Communications.

(2) *Construction of the Laskarhat-Dinajpur-Birganj Section of the North Bengal Highway.*—The survey for the detailed estimate will be made this cold weather.

(3) *Construction of a road from Chittagong to Patenga.*—The sanction of the Government of India is awaited.

(4) *Improvement of the Buxa Forest Road between Alipur Dua to Rajabhatkhaw.*—The sanction of the Government of Indi is awaited.

(5) *Construction of two major bridges on the Mymensingh-Tanga Road.*—It was decided at the last meeting of the Provinci Board of Communications to postpone construction.

(6) *Improvement of the road from Santhia to Sultanpur i the district of Birbhum.*—The approval of the Government c India is awaited.

(7) *Improvement of the road from Kandi to Sultanpur in the di trict of Murshidabad.*—The approval of the Government o India is awaited.

(8) *Improvement of the road from Muktagacha to Tangail.*—Th approval of the Government of India is awaited.

(9) *Improvement of the road from Begumganj to Matabi in th district of Noakhali.*—The approval of the Government o India is awaited.

(10) *Improvement of the Falakata-Alipore Road including a bridg over the Torsa, district Jalpaiguri.* The approval of th Government of India is awaited.

(11) *Improvement of the road from Dhoom to Ramgarh in the di trict of Chittagong.*—The approval of the Government o India is awaited.

(12) *Construction of a bridge over the Bally Khal on the Grand Trunk Road.*—This is being designed.

(13) *Improvement of the old Benares Road from Chanditola t Sheakhala.*—The approval of the Government of India i awaited.

(14) *Laying concrete on a portion of the 1st mile of the Dum-Dum Cossipore Road.*—The approval of the Government of India is awaited.

(*iii*) The present position of each of the projects which are in hand is given below:—

(1) *Improvement of the Calcutta-Jessore Road from Calcutta t Gaighata.*—The work will be completed this financial year.

(2) *Construction of the Kunti Bridge.*—The work is in hand. Work in the foundations was impeded owing to the presence of an old brickwork structure.

(3) *Diversion in the 13th mile of the Grand Trunk Road.*—Land acquisition proceedings are in progress.

(4) *Diversion of Grand Trunk Road near Hooghly.*—Land acquisition proceedings are in progress.

(5) *Saraswati bridge on Grand Trunk Road.*—Land acquisition proceedings have been commenced. The detailed estimate is under preparation.

(6) *Burge bridge over the Cossye at Midnapore.*—Tenders have been called for.

(7) *Burdwan-Arambagh Road (1st 5 years' programme).*—The work is in hand and it is expected to spend Rs. 1,08,000 on work done this year.

(8) *Burdwan-Arambagh Road (2nd 5 years' programme).*—The work is in hand. The probable expenditure this year is estimated to be Rs. 2,00,000.

(9) *Damodar Bridge.*—Details regarding foundations, etc., are still being considered.

(10) *Ranaghat-Jaguli Road (1st 5 years' programme).* The work is in progress. It is hoped to spend Rs. 1,95,000 this year.

(11) *Pabna-Ishurdi Road including the Ichamati Bridge.*—The work has been completed except the bridge and its approaches. The work on the bridge is in hand. It is expected to complete it this year.

(12) *Extension of the Pabna-Ishurdi Road from Radhanagar to the approach road to the Civil Court buildings, Pabna.*—Materials are being collected and the work started. It is expected to complete the work this year.

(13) *Special tools and plan for the Sevoke-Bagrakote Road.* No comment.

(14) *Construction of the road from Sevoke to Bagrakote including the bridge over the Teesta river.*—The work on the bridge has been delayed owing to the early break of rains and the vast volume of water in the river. The work on the road is in progress. It is hoped to spend Rs. 3½ lakhs on the bridge and Rs. 2½ lakhs on work on the road this year.

(15) *Construction of the Jhikargacha Bridge on the Jessore Road.*—Tenders have been called for and received. These are being considered.

(16) *Magura-Jhenida Road (supplementary works necessitated by floods of 1935).*—This work has lately been taken over by the Communications and Works Department from the Jessore District Board. It is expected to complete the work this year.

(17) *Satkhira-Nawapara Road (2nd 5 years' programme).*—There has been delay on this work owing to failure on the part of the contractor to produce the requisite outturn of bricks. The reasons for this failure are that the land was not received after acquisition until a month after the expected date and then the contractor was unable to get waggons for the rail-way transit of coal required for brick-burning.

(18) *Magura-Jhenida Road (2nd 5 years' programme).*—The question of waterways is still under discussion, but it is hoped that a settlement is near at hand.

(19) *Barkanta-Daudkandi Road.*—The work is in hand. It is expected to spend Rs. 1½ lakhs on this work this year.

(20) *Improving the Chittagong-Arracan Road (1st 5 years' programme)—Minor bridges.*—The work is in hand and it is estimated that Rs. 70,000 will be spent this year.

(21) *Kalarpole Bridge.* The work is in progress.

(22) *Tankabati Bridge.* It is expected to spend Rs. 65,000 this year on the work.

(23) *Dala Bridge.* The same as for item 22.

(24) *Tangail-Mymensingh Road (2nd 5 years' programme).* The work is in hand and it is expected to spend Rs. 1,74,000 on the work this year.

(*b*) The reasons for accumulation of Road Fund money have been explained more than once before this House, especially in my budget speeches, which may be referred to.

(*c*) Government have appointed a Superintending Engineer on special duty to deal solely with Road Fund works and projects.

(*d*) Yes.

(*e*) I have not yet received any definite intimation from the Government of India for such resumption. We are expediting expenditure of the accumulated money as far as possible.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what steps have been taken against such officers who were responsible for the delay?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: As I have already stated, we have not come against a single case in which any individual officer was solely responsible for any delay. There were other difficulties and factors over which he or the department had no control.

Maulvi TAMIZUDDIN KHAN: With reference to answer (*a*)(*i*), will the Hon'ble Minister please state whether Mr. King has submitted his report?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I have got the first volume of the report which is just out.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state when the Government expect to finish consideration of the report?

Mr. SANTOSH KUMAR BASU: Never.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It will be placed before the Board of Communications at an early date.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that a trunk system of roads for Bengal had been approved as early as July, 1936, but that these roads have not yet been taken up?

Mr. SPEAKER: Is it a supplementary question, Dr. Sanyal?

Dr. NALINAKSHA SANYAL: Yes, Sir.

Mr. SPEAKER: Supplementary to which question?

Dr. NALINAKSHA SANYAL: To question (*a*)(*ii*), namely, the following are the projects which have been approved by the Provincial Board of Communications but have not yet been taken up.

Mr. SPEAKER: How does that question arise out of this?

Dr. NALINAKSHA SANYAL: So far as I think, Sir, it deals with the trunk system, though indirectly.

Mr. SPEAKER: But it must arise out of the question itself.

Dr. NALINAKSHA SANYAL: My first question is very comprehensive, but unfortunately the Hon'ble Minister has not replied to it comprehensively. He has taken up all the parts of it together and has replied to (*a*)(*i*), which is under road development.

Mr. SPEAKER: But it is under road development.

Dr. NALINAKSHA SANYAL: So it is, Sir,. It is a road development project, and no other project than those that come under road development can come in here.

Mr. SPEAKER: I see your point. But if you had framed your question in a different manner, I would have been prepared to admit it, but you know that your supplementary question must arise out of the original question.

Dr. NALINAKSHA SANYAL: May I submit, Sir, that all projects that come under roads and communications are projects that come under road development projects?

Mr. SPEAKER: All right, let me enquire if this is so. May I enquire of the Hon'ble Minister if that is the fact?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Yes, Sir, that is so.

Dr. NALINAKSHA SANYAL: My question is: is it a fact that 8 projects of an outlying trunk system for Bengal were approved as early as July, 1936, but that they have not been taken up yet?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: I may inform the House that a skeleton scheme for the trunk roads of the Province was submitted to Government of India about that time on the requisition of the Government of India. It was certainly never meant that those road projects would have to be taken up immediately. It will be for the Board of Communications to decide which of those trunk roads or feeder roads they were going to recommend to this Government or to the Government of India.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that a fruitful source of delay lies in obtaining final technical sanction of the department for which the Chief Engineer is responsible?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Certainly not.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the Dacca-Aricha project is under consideration?

Mr SPEAKER: Order, order. I do not think that so far as this question is concerned, any supplementary question can arise as to the details of the scheme. It is only with regard to the scheme as a whole, and the project as a whole, that a supplementary question can be raised.

Maulvi ABDUL BARI: When was the Khandi-Sultanpur road project sent up to Government?

Mr. SPEAKER: Order, order. Mr. Bari, you have not listened to what I have just said. I have ruled that so far as this question is concerned. There should be no supplementary question as regards any specific project. The main question refers to the scheme as a whole, and any question relating to the scheme as a whole is only relevant.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. May I refer to section 35 of our Rules and Standing Orders where it is stated that any member may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given; it does not say that it must be of a general nature.

Mr. SPEAKER: Mr. Rai Chaudhuri, you must see that there is a provision that it must be relevant

Dr. NALINAKSHA SANYAL: May I draw your attention to item No. 7 on page 6 of this question? It will be seen therefrom that it is relevant.

Maulvi ABDUL BARI: On a point of order——

Mr. SPEAKER: Mr. Bari, when a point of order has already been raised, I think you will allow me to dispose of it before you raise your point of order.

Dr. NALINAKSHA SANYAL: As I have already said, Maulvi Bari's question refers to item No. 7 on page 6, and, as such, I think my friend, Mr. Bari, can ask this question.

Mr. SPEAKER: What is your question, Mr. Bari?

Maulvi ABDUL BARI: My question is, when was the Kandi-Sultanpur road scheme sent up to the Government of India?

Mr. SPEAKER: That question does not arise. You can ask about its approval but not about the scheme specifically.

Maulvi ABDUL BARI: May I know when the scheme was sent to the Government of India for approval?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It is difficult to give the exact time; it must be at least six months back.

[*For Statements laid on the table containing replies to Questions unanswered or not fully answered in the February-April Session, 1938, please see Appendix at the end of the volume.*]

GOVERNOR'S MESSAGE.

Message to the Chambers of the Bengal Legislature under section 75 of the Government of India Act, 1935.

Mr. SPEAKER: Just now I have received a message from His Excellency the Governor about the Bengal Tenancy Amendment Bill, and I shall read the message before the House.

The Bengal Tenancy Amendment Bill, 1938, has been passed by both Chambers of the Bengal Legislature and has been presented to the Governor in accordance with section 75 of the Government of India Act, 1935. Having given my most careful attention to the Bill, I am of opinion that it is my duty to return it to the Legislature in accordance with the proviso to the said section and to request the Chambers to consider it in regard to the following points.

2. Sub-clause (*2*) of clause 1 of the Bill is to the effect that "it shall come into force on such date, not later than the 31st May, 1938, as the Provincial Government may, by notification in the Official Gazette, appoint". Apart from the fact that the latest date thus provided for in the Bill has already passed, I am advised that a Notification bringing the Bill into force with retrospective effect from the 31st May,

1938, or any other date would give rise to complicated problems of law, invite unnecessary litigation and result in much avoidable confusion, for example, as to the respective rights of transferor and transferee under the revised section 26C. The difficulty will be met by omitting the existing commencement clause and allowing section 6 of the Bengal General Clauses Act, 1899, to operate, under which the Act will come into force on the date on which the assent thereto is first published in the Official Gazette. The Bengal Tenancy Ordinance ensures meanwhile that the registration of transfers, with consequent payment of landlords' transfer fees, is held in abeyance so that the persons concerned shall obtain the benefit of the new law if and when it is passed.

3. Secondly, the new section 75A, which is inserted in the Bengal Tenancy Act, 1885, by clause 21 of the Bill, purports to be concerned with the "Suspension of provisions relating to enhancement of rent" and provides for the suspension, for a period stated, of "all the provisions of this Act (including section 52) relating to enhancement of rent". The inclusion of a reference to section 52 would imply that that section relates to enhancement of rent. This however is not the case, since section 52 relates, not to enhancement in the rate of rent, but to alteration of rent in respect of alteration of area, and provides for the liability of a tenant in certain conditions to pay additional rent for all land proved by measurement to be in excess of the area for which rent has been previously paid by him, as well as for reduction of rent on proof of reduction of area. The principle embodied in section 52 of the Bengal Tenancy Act, 1885, is also the underlying principle of section IV of Regulation XI of 1825, whereby Government are entitled to receive additional revenue, and landlords to realise additional rent, in cases of accretions to estates and tenures. This is a fundamental and accepted principle of land revenue assessment and has no relation to enhancement of the rate of rent. Reference therefore to section 52 in a section such as the proposed section 75A, which is concerned with the enhancement of the rate of rent, is inappropriate and illogical, and just as the inclusion of such reference could add nothing to the effect of the Bill, so its omission can detract in no way from it. Be that as it may, my Government are aware that section 52 is liable to abuse and they intend to take the necessary steps to amend its provisions at an early date by separate legislation.

4. After due consideration, therefore, I have decided to recommend to the Bengal Legislative Chambers that the Bill be amended by the omission of sub-clause (*2*) of clause 1 and by the omission of all references to section 52 of the Bengal Tenancy Act, 1885, in clause 21 of the Bengal Tenancy Amendment Bill, 1938, and I appoint the Hon'ble Sir Bijoy Prasad Singh Roy, Minister in charge of Revenue Department, to be the Member in charge of the Bill.

Recommendation.

In pursuance of the provisions of the proviso to section 75 of the Government of India Act, 1935, I, Robert Neil Reid, Governor of Bengal, do recommend to the Bengal Legislative Chambers that they do amend the Bengal Tenancy Amendment Bill, 1938, by the adoption, without further amendments, of the two following amendments, that is to say,—

(*i*) That sub-clause (*2*) of clause 1 of the Bill be omitted.

(*ii*) That in clause 21 of the Bill the words, figure and brackets "(including section 52)", wherever they occur, be omitted.

R. N. REID,

Governor of Bengal.

GOVERNMENT HOUSE,

CALCUTTA:

The 29th July, 1938.

In this connection I have also received this order:—"In pursuance of sub-section (*2*) of section 72 of the Bengal Legislative Assembly Rules and Standing Orders, I appoint Friday, the 29th July, 1938, as the day fixed for the reading to the Assembly of my Message under section 75 of the Government of India Act, 1935, regarding the Bengal Tenancy (Amendment) Bill, 1938, and Wednesday, the 3rd August, 1938, as the day fixed both for the reconsideration of the said Bill and for the consideration in detail of my recommendations thereon."

Mr. SPEAKER: I shall take up the adjournment motion after the prayer adjournment.

Adjournment.

(At this stage the House was adjourned for 15 minutes.)

(*After adjournment.*)

Adjournment motion.

Mr. SURENDRA NATH BISWAS: Mr. Speaker, Sir, I have got your consent to move an adjournment motion. I am sending herewith the statement of facts also.

Mr. SPEAKER: Will you please read the substance of your adjournment motion?

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that this Assembly do adjourn to discuss a definite matter of urgent public importance, namely, the Government's omission to devise adequate ways and means to enable the jute-growers of Bengal to obtain the highest possible price for new jute crop from the beginning of the current month of July, in view of the damages caused by the recent floods to the jute and paddy crops and also of the prevailing uneconomic price of jute.

Mr. SPEAKER: How it is a matter of urgent importance?

Mr. SURENDRA NATH BISWAS: Sir, that it is a definite matter, there is no doubt. So far as its urgency and importance is concerned, I do not know, Sir, what other matter is more urgent and more important. The recent floods have entirely destroyed the *aus* crop. The *aus* paddy gives food to the peasantry for at least three months——

Mr. SPEAKER: That has nothing to do with jute-growers.

Mr. SURENDRA NATH BISWAS: That has certainly something to do with the jute-growers. What is that, kindly permit me to submit. Sir, the jute-growers who had also grown *aus* crop have not got that *aus* paddy this year to carry them through for three months. So they are being forced to take up immature cutting and to put up their jute crop in the market. Had not the recent flood caused total destruction of the *aus* crop, they would not have been forced to this position. That is how the destruction of *aus* crop is relevant.

Then, Sir, our reports are that more than 50 per cent. of the jute crop has been destroyed. So, the jute-growers may not possibly get even half the jute they had expected to get. For that short production they should get the highest possible price. Otherwise, in view of the damage caused to all kinds of paddy and jute, the poor peasantry will die. We view the situation with the greatest alarm.

Mr. SPEAKER: When the new jute crop will come to the market?

Mr. SURENDRA NATH BISWAS: The new crop has already come. The jute-growers have been forced to immature cutting, and they have already put up their new jute in the market, but the price they get is very uneconomic.

Mr. SPEAKER: I will ask the Hon'ble Nawab Bahadur to make his statement.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I oppose the adjournment motion on the ground that it is not a matter of urgent public importance, and my reasons are these. The hon'ble the mover has given three reasons. One is the omission of Government to devise adequate ways and means. The other is, he says, that on account of the flood and damage, the price of jute is going down. Certainly he knows that the prevailing price is not uneconomic. I have got to-day some figures to show that yesterday the price of jute sold was Rs. 4-8 and Rs. 4-12. To-day the price of low rejections is Rs. 4-14. It shows that the price of jute is going up and not going down. Secondly——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Are we going into the merits of the arguments?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No, I am giving reasons.

Secondly, Sir, the Government has already appointed a jute committee and a paddy committee to go into the whole question of jute and paddy.

Mr. SPEAKER: Will that include the question of prices?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, Sir. Thirdly, my friend has not studied the question of supply and demand.

Dr. NALINAKSHA SANYAL: No reflection on a member.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I made no reflection on the member. I said he has not studied. I will show how he has not studied it. My point is this that if by floods the supply has disappeared, naturally the price must rise. Under these circumstances, there is no urgency for this motion. So, I oppose it.

Mr. SURENDRA NATH BISWAS: Mr. Speaker, Sir, in the light of what Nawab Bahadur said, will you kindly allow me to make a few remarks? My case is that the present price is uneconomic. Nawab Bahadur said that jute was selling at Rs. 4-14 in Calcutta. If the Calcutta price is Rs. 1-14, the harvest must be Rs. 1-8 less.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Calcutta price is Rs. 5-6 to Rs. 5-12.

Mr. SURENDRA NATH BISWAS: I have got a list of the Calcutta prices for the last two months up to date. But I do not find anywhere the figures which the Nawab Bahadur quotes. I can prove that it is below Rs. 4.

Mr. SPEAKER: That will do. While Mr. Biswas knows it perfectly well that he has my sympathy on this point, as regards the question of high price of the new crop of jute, even though he tried to make it relevant by bringing in the question of new crop, I am afraid, the motion as it is, is not in order. The question of floods, I take it, will be taken up in the supplementary demand. There is a demand on that head. On that occasion it will be open to the House to discuss the question of flood, and its possible repercussions. I do not think that by any stretch of imagination, I could say that this is a matter of such recent occurrence or it is a matter of such urgent public importance as would justify the obstruction of the normal proceedings of the House. I hold that the motion is not in order, and with a great deal of reluctance I am afraid I must rule it out.

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, Sir, I have got another motion of adjournment. I beg leave of the House to move it, and I hand it over to you.

Mr. SPEAKER: Will you read your motion? What is your motion?

Mr. SYED JALALUDDIN HASHEMY: I beg to move that the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the situation that has arisen in the province aggravated by apathetic and indifferent attitude of the Government to relieve the distress of the people affected by the sudden outbreak of flood in a large number of districts in Bengal causing serious damage to the staple food crop and fodder.

This is my motion, Sir, and I hope that Government will not oppose it.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am afraid that I cannot oblige my hon'ble friend. I have got to oppose it. It is not necessary to discuss this matter by adjourning the ordinary business of the House, because the Hon'ble Finance Minister is going to present a supplementary demand, which includes a demand of Rs. 31 lakhs for agricultural loans. The question of granting relief to the people in the affected areas may be conveniently discussed in that connection.

Dr. NALINAKSHA SANYAL: Don't disclose the figure now.

Mr. SYED JALALUDDIN HASHEMY: I know, Sir, that an opportunity will come, but I stand on a different footing altogether. The urgency of the matter will go by the time we get that opportunity on the 4th or 5th August, and, Sir, it is a direct censure motion against Government. Government should have, at least we expected it to do, given prompt help to the people affected by the flood, which the Government has not done and that deliberately. It is, Sir, within the power of the Government to cope with the situation; not only to speak of my own district of Jessore but I travelled in the East Bengal, and I have personally seen that it is quite within the competence of Government to give relief then and there. But, Sir, Government might have possibly decided to give more; say, from 5 lakhs to 30 lakhs of rupees. They have decided to give agricultural loans. Even then——

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. Is this relevant? In opposition can a member make a speech giving the whole basis of the adjournment motion?

Mr. SPEAKER: In order to find out whether it is relevant or not.

The Hon'ble Khwaja Sir NAZIMUDDIN: But not in entire criticism of the Government policy which Government will not have any opportunity to put forward.

Mr. SPEAKER: He wants to make out a case of apathetic and indifferent attitude.

The Hon'ble Khwaja Sir NAZIMUDDIN: The point which Government have put forward for your consideration is that as the matter can be discussed within four days, the members will have an opportunity to discuss this question within four days. The adjournment motion under such circumstances is not permissible. That is the point, and what the hon'ble member wants to——

Mr. SPEAKER: Order, order. I think you know, Mr. Hashemy, that all these adjournment motions should be presented with a written statement.

Mr. SYED JALALUDDIN HASHEMY: Sir, I have presented my adjournment motion with a written statement.

Mr. SPEAKER: No, there is no written statement.

Mr. SYED JALALUDDIN HASHEMY: Sir, I handed over a different written statement to the Secretary.

Mr. SPEAKER: I have not got it with me. Under the rules a member in asking leave to move a motion must hand over to the Speaker a written statement of the matter proposed to be discussed and must also annex thereto the consent of the Speaker. You know very well that I once ruled out one of your motions on that very ground.

A Point of Privilege.

Dr. NALINAKSHA SANYAL: May I rise on a point of privilege, Sir? This arises out of the procedure that you have adopted in laying on the table a statement purported to be replies to questions answered and not fully answered in the previous session. So far as I remember, Sir, on the last day a very large number of questions were all huddled, and as you decided not to sit beyond 7 p.m. that evening for the convenience of the members a number of questions had to be left out. You were then pleased to rule that if any member—and you honoured me by naming me and saying that if I—had any supplementary questions in his pocket, you would be pleased to take them up and thereafter you would dispose of the other questions. So far as I have tried to find out the meaning of the words "dispose of", it appears to me that with regard to such questions that were reached on that day within the time mentioned those questions would be treated as duly answered, although the Hon'ble Minister did not get up or the Secretary did not call out the number. But with regard to such other questions which though printed on that day could not be reached at all, for want of time, we felt that it would come within the ordinary rules that they would either be treated as lapsed, in which case there were special rules whereby a member could revive them by giving due notice, or they would be otherwise treated. Your office circulated two sets of lists; one was supposed to be a corrigendum to the Bengal Legislative Assembly proceedings. In that corrigendum we find towards the end a few questions which were supposed to have been answered but left out in the first print of the proceedings. I have got with me the questions that were not answered which I marked on that very day as not answered and I notice, Sir, that some of those questions find place in this corrigendum. While appreciating the difficulty that you and your office might have felt, I submit that this procedure would take away the right of members of this House to put supplementary questions on subsequent occasions. I therefore submit that this arrangement may not be so treated as to create any precedent in future and that the Government or any particular responsible authority may not take advantage of it by putting all the questions on the last

day in the hope that there may not be any time to enter them into the proceedings and, as such, there will be no occasion for putting supplementary questions. Sir, I desire to have your ruling not with a view to create any difficulty or embarrassment at this stage, but so that these arrangements may not go down as a precedent for future proceedings.

Mr. SPEAKER: I can assure you this much that I consider that my function here is to help the members and if I find that any precedent of mine stands in the way of the legitimate rights of the members I shall not hesitate to create a fresh precedent in its place. On that ground you may rest assured that everything will be considered solely on its merits. I will certainly consider this point and I can assure you that I have taken all possible steps this session to see that answers to questions come in regular order and in time; and in case I fail in my effort this session I will bring it to the notice of the House. I will not give up my effort till I am satisfied that I have taken all legitimate means within my power to see that questions are duly answered and in time. For the time being I leave things as they are. So the point of privilege does not arise at this stage. So far as the rule is concerned I am prepared to give effect to it, if any member wants.

Kazi EMDADUL HAQUE: Sir, I gave notice of my adjournment motion. I would like to get your assent to it.

Mr. SPEAKER: When did you send it?

Kazi EMDADUL HAQUE: Yesterday.

Mr. SPEAKER: It reached us only to-day and so it was not placed before me. I will consider this to-morrow.

Babu NARENDRA NARAYAN CHAKRABARTY:

সভাপতি মহাশয়, বিগত অধিবেশনের সময় আমি একটা প্রশ্ন দিয়েছিলাম। এবং তিনবার সেটা নানা রকম ত্রুটির আমার কাছে ফিরিয়ে দেওয়া হয়। প্রথমবারে বলা হয় যে প্রশ্নটা খুব দীর্ঘ হয়েছে। দ্বিতীয়বারে বলা হয় যে ছাপার ভুল আছে। তৃতীয়বারে আমাকে ফিরিয়ে দেওয়া হয়—যে পুনর্বার দেখে যেন পাঠানো হয়। গত অধিবেশনের শেষ দিন প্রশ্নটি আমি আপনার নিজের হাতে দিয়েছিলাম, এবং আপনি বলেছিলেন—"এটা যাতে হয় সে বিষয় আমি চেষ্টা করবো"। কিন্তু আজকে যে list দেওয়া হয়েছে তার ভিতরে সে বিষয়ের কোন চিহ্ন দেখতে পাচ্ছি না। নিখিলরঞ্জন গুহ রায় সম্বন্ধে আমার সেই প্রশ্নটি ছিলো।

Mr. SPEAKER: If you come to my chamber, I shall explain the matter to you.

TENANCY ORDINANCE.

The Bengal Tenancy Ordinance, 1938.

Mr. SPEAKER: I think there is one matter of procedure which I should lay down. I find that so far as Government are concerned they have put the laying before the House of the Bengal Tenancy Ordinance a bit later. As section 88 of the Government of India Act stands it is a statutory duty to lay it on the table and I take it that the intention is that it should be done as early as possible because otherwise the time-limit of six weeks from the day of the first sitting of the Assembly cannot properly operate. I think the normal order of business might be slightly changed. If Sir Bijoy Prasad has no objection I would ask him to lay the Bengal Tenancy Ordinance on the table.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: As you please, Sir.

May I with your permission lay on the table the Bengal Tenancy Ordinance, 1938, as promulgated under section 88 (1) of the Government of India Act, 1935.

SUPPLEMENTARY DEMAND.

The Hon'ble Mr. NALINI RANJAN SARKER: I rise to present a supplementary statement of expenditure for the year 1938-39, under section 81 of the Government of India Act. The total demand is for Rs. 48,47,000 covering six major heads of expenditure. The largest item is for Rs. 30,10,000 for advances to cultivators distressed by floods and damage to crops in many districts and the Hon'ble Ministers concerned, when presenting their respective demands, will further explain the necessity of and justification for all those supplementary expenditure.

Mr. SPEAKER: This demand may be taken up after the "Questions" are over on the 4th August. Members will give notice of cut motions by Monday, the 1st August.

Dr. NALINAKSHA SANYAL: On a point of privilege, Sir. I know the Rules do not give us the privilege of exceeding the number of days allotted by His Excellency for Budget discussion. May I therefore submit that in an important matter like the discussion of supplementary grants, where so many different items are given and where a large number of amendments will have to be discussed in that respect, it will be quite impossible for the House to do justice to this budget

and to have a general discussion as well as voting on the self-same day. May we therefore request you to approach through the proper authorities His Excellency the Governor to allot one, if not two, more day for budget discussion and voting.

Mr. SPEAKER: I will consider it.

GOVERNMENT BILLS.

The Bengal Maternity Benefit Bill, 1938.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to present the report of the Select Committee, on the Bengal Maternity Benefit Bill, 1938.

The Bengal Local Self-Government (Amendment) Bill, 1938.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to present the report of the Select Committee on the Bengal Local Self-Government (Amendment) Bill, 1938.

The Bengal Municipal (Amendment) Bill, 1938.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to present the report of the Select Committee on the Bengal Municipal (Amendment) Bill, 1938.

The Bengal Village Self-Government (Amendment) Bill, 1938.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to present the report of the Select Committee on the Bengal Village Self-Government (Amendment) Bill, 1938.

The Bengal Dentists Bill, 1938.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to present the report of the Select Committee on the Bengal Dentists Bill, 1938.

The Bengal Tanks Improvement Bill, 1937.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to present the report of the Select Committee on the Bengal Tanks Improvement Bill, 1937.

The Bengal Repealing and Amending Bill, 1938.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I beg to introduce a Bill to amend certain enactments and to repeal certain other enactments.

The Secretary then read out the short-title of the Bill.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I beg also to move that the said Bill be taken into consideration.

Sir, you are aware that the Assembly ordered my department to prepare the Bengal Code and it provided funds for preparing it. In compliance with that order we have begun the preparation of the Bengal Code. While we have gone on with the work and the work of printing has been taken up, our experts have pointed out to us that there are certain points which must be cleared by this House. The Bengal Code is known to us all. It contains all the existing laws and acts passed either by this House or by the Central Legislature. It is in use by officers and courts all over Bengal. So far as the old Code is concerned it was prepared in 1915 and since then there has been a lot of Acts passed in this House and the Upper House. All these must be noted down. But we have no right to do so without getting the formal consent of this House. Our experts say that certain matters which have been passed by this and the Upper House must be noted down in a new book and the repealing is nothing but the correction slips which have been given to us, in order to publish the Code.

One of my friends is smiling, but probably he does not know that these are formal matters for which I have come to you. We are always guided by experts as regards details and we must have faith in our officers when they prepare details for us. It is only a formal thing and it is nothing but a statement of facts which exists. I am bound to accept expert opinion and act up to it, and I think had you been in my position you would have done the same thing. You will find that really speaking there is absolutely nothing objectionable in it. When you say that a certain Bill or a certain Act is to be renamed it does not mean that the Act will have to be thoroughly overhauled. When you say that Act so and so of 1885 should be read as Act so and so of 1932, it means nothing; nobody now cares for the Act of 1885, everybody reads it as Act so and so of 1932. That being so, I simply say that the correction slip which has been given to us by our experts may be accepted as correct. I know that there has been a little misunderstanding with some of the persons who take an interest in this case. I would not have minded a delay in this matter for a few days. But you know the difficulty of working out the proposition, and for this difficulty I cannot now say that I accept the motion for sending the Bill

to a Select Committee. Another difficulty is that this Select Committee would have to be composed of members of this House, and I would have to get the consent of the members, which may not be possible within the short time available to me. That being so, I hope you will kindly consider this, that, whoever is in charge of this Bill will have to rely upon the experts' advice and if you say that our experts have not properly guided us or have not properly guided the House, you will have every justification to bring in an amending Bill, and if you can point out any single mistake in the Schedule, I will surely accept that amendment, whenever you want it." That being the case, and as the Bill is absolutely of a formal nature, and as such Bills are often enacted, I hope you will kindly accept it and pass it. With these few words, Sir, I move my motion.

Maulvi ABU HOSSAIN SARKAR: I beg to move by way of amendment that the Bill be referred to a Select Committee consisting of—

(1) the Hon'ble Minister in charge of the Legislative Department,

(2) Mr. Syed Nausher Ali,

(3) Maulvi Tamizuddin Khan,

(4) Maulvi Abdul Bari,

(5) Mr. M. Shamsuddin Ahmed,

(6) Maulvi Abu Hossain Sarkar,

(7) Mr. Sarat Chandra Bose,

(8) Mr. Jogesh Chandra Gupta,

(9) Mr. Sasanka Sekhar Sanyal,

with instructions to submit their report by the 15th January, 1939, and that the quorum of the Select Committee be fixed at five.

I make no speech, Sir.

Rai HARENDRA NATH CHAUDHURI: I beg to move by way of amendment that the Bill be referred to a Select Committee consisting of—

(1) The Hon'ble Minister in charge of the Legislative Department,

(2) Babu Nagendra Nath Sen,

(3) Mr. Manmatha Nath Roy,

(4) Mr. Dhirendra Nath Datta,

(5) Mr. Hem Chandra Nasker,

(6) Mr. M. Shamsuddin Ahmed,

(7) Maulvi Tamizuddin Khan,

(8) Maulvi Abdul Bari,

(9) Mr. Abdulla-Al Mahmood,

(10) Mr. J. W. Chippendale,

with instructions to submit their report by the 30th October, 1938, and that the quorum of the Select Committee be fixed at five.

Mr. SPEAKER: Have you received the consent of all the members?

Rai HARENDRA NATH CHAUDHURI: Yes, Sir: except that of the Minister in charge of the Legislative Department and of Mr. Brasher who is absent.

Mr. SPEAKER: But I have not received any copy yet.

Rai HARENDRA NATH CHAUDHURI: I will just give it to you, Sir.

Mr. SPEAKER: But you ought to have given it to me beforehand. I wish to say in this connection that I want to be particularly rigid in these matters in future, because otherwise considerable difficulties are created. Therefore in future in respect of all Select Committee motions consent of members must come in before 3 o'clock on the day on which that particular motion will be moved. If received after 3 p.m. on that day, it will not be admissible.

Dr. NALINAKSHA SANYAL: May I submit that this will be a great hardship on us as members generally come to this House at 3 o'clock?

Mr. SPEAKER: I think members ought to know what business is going to be taken up on a particular day. I might be prepared to forego the rule on the first day, but after that members must know that if a Select Committee motion is going to be moved he should let me have the consent one day before, instead of putting it off till the last moment at least in remembrance of the well-known proverb that "it is better to do a thing to-day than to-morrow."

Rai HARENDRA NATH CHAUDHURI: All right, Sir. I take note of your ruling.

Sir, the Hon'ble Minister in charge of the Bill has told us that his experts have considered this amendment necessary and he is therefore in duty bound to accept their opinion, and anxious to move this Bill

and have it passed at the same sitting. That may be his conception of his own duty, but our conception of our duty is somewhat different. Our idea is that when this is a measure which proposes to amend and also to repeal a large number of Acts—Acts that were enacted so far back as in 1805 and Acts enacted as recently as in 1932—Acts which were passed over a period of more than a century—it requires careful study and close examination. The Bill has been published with the assurance that the amendments that have been proposed are all verbal amendments. That may be the opinion of the Hon'ble Minister in charge, that may also be the opinion of his advisers, but without going through all these Acts and the amendments proposed, how can we ascertain whether that is a dependable opinion or not? It is humanly impossible for any individual to go through these amendments and examine their implications with reference to the Acts within a week's time that was available to us. In a week or so it is quite impossible to examine so many Acts and to understand the implications of all the amendments that have been proposed. I would therefore suggest that the Hon'ble Minister will please consider our difficulty and accept the harmless amendment that I have proposed, namely to refer the Bill to a Select Committee with instructions to submit their report within as short a time as possible. So far as my amendment concerned, it proposes that the Select Committee should submit their report before the 30th of October. If that part of the proposal be considered as a dilatory motion, then the Hon'ble Minister may suggest an earlier date. We are quite prepared to accept any suggestion that may come from the Hon'ble Minister so far as the date is concerned, but it will be rushing an important Bill through the Assembly, if the members are not given sufficient time to consider the implications of the proposals made in the Bill. I would therefore request the Hon'ble Minister in charge to accept the amendment.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, the Select Committee is not a new thing. I could have accepted this, if my friends gave me at least one day's notice that they are really serious in this matter and then I could have persuaded my party friends to accept a motion like this. But suppose I gave my friends this assurance that if this Bill is passed and if after consideration by my friends they can point out a single mistake——.

Mr. SANTOSH KUMAR BASU: After it is passed!

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: ——then I can bring in an amending Bill. Will that satisfy my friends?

Mr. SPEAKER: You oppose the amendment?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes, Sir. But if you will please give me just 2 hours' time, then I may consult my friends over this matter.

Mr. SPEAKER: I am sorry, I cannot allow you that at this late stage.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: So at present I have no other alternative but to oppose the motion. If I had two hours' time, I could have settled the matter.

The motion of Maulvi Abu Hossain Sarkar that the Bill be referred to a Select Committee, consisting of—

(1) the Hon'ble Minister in charge of the Legislative Department,
(2) Mr. Syed Nausher Ali,
(3) Maulvi Tamizuddin Khan,
(4) Maulvi Abul Bari,
(5) Mr. M. Shamsuddin Ahmed,
(6) Maulvi Abu Hossain Sarkar,
(7) Mr. Sarat Chandra Bose,
(8) Mr. Jogesh Chandra Gupta,
(9) Mr. Sasanka Sekhar Sanyal,

with instructions to submit their report by the 15th January, 1939, and that the quorum of the Select Committee be fixed at five was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that the Bill be referred to a Select Committee, consisting of—

(1) The Hon'ble Minister in charge of the Legislative Department,
(2) Babu Nagendra Nath Sen,
(3) Mr. Manmathanath Roy,
(4) Mr. Dhirendra Nath Datta,
(5) Mr. Hem Chandra Nasker,
(6) Mr. M. Shamsuddin Ahmed,
(7) Maulvi Tamizuddin Khan,
(8) Maulvi Abdul Bari,
(9) Mr. Abdulla-Al Mahmood, and
(10) Mr. J. W. Chippendale,

with instructions to submit their report by the 30th October, 1938, and that the quorum of the Select Committee be fixed at five was then put and lost.

Clauses 1 to 4.

The question that clauses 1, 2, 3 and 4 stand part of the Bill was then put and agreed to.

Schedule and Preamble.

The question that the First and the Second Schedule and also the Preamble stand part of the Bill was then put and agreed to.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I beg to move that the Bill, as settled in the Assembly, be passed.

The motion was put and agreed to.

The Indian Stamp (Bengal Amendment) Bill, 1938.

The Hon'ble Khwaja Sir NAZIMUDDIN: Government do not propose to move this Bill.

Dr. NALINAKSHA SANYAL: On a point of information, Sir. Are we to understand that Government have withdrawn this Bill? In that case they will have to give other notice if they want to proceed with it.

Mr. SPEAKER: Naturally. But if a fresh notice is given, I cannot bar it.

Mr. SARAT CHANDRA BOSE: I desire to raise one point, Mr. Speaker. Is it courteous to the Speaker of the House for the member who has given notice for the introduction of a Bill to be absent when the Bill is being called by you?

Mr. SPEAKER: He left with my special permission.

The Bengal Tenancy (Temporary Progress) Bill, 1938.

The Hon'ble Khwaja Sir NAZIMUDDIN: Government do not propose to move it.

Mr. SPEAKER: I take it that there is no other business left for to-day.

Adjournment.

The House was then adjourned till 4 p.m., on Tuesday, the 2nd August, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 2nd August, 1938, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, ten Hon'ble Ministers and 219 Members.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

SPEAKER: I may say, before questions are taken up, that representations have been made to me by a number of members to adjourn the House early. I therefore propose to take up questions and go on with them for about 15 or 20 minutes and thereafter certain motions of which I have received notice. After that I propose to adjourn the House till 3-45 p.m. to-morrow.

Petitions of tenants of Chak Jowanpara, Bakarganj, against inclusion of Estate No. 4900 in the Court of Wards.

10. Sj. NARENDRA NATH DAS GUPTA: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state what is the decision of the Minister in charge in respect of the petition submitted by many hundred tenants of Chak Jowanpara (Estate No. 4900) in Bakarganj, through an M.L.A. in February last, protesting against the inclusion of properties of Sreejuts Hiron Kumar Roy Sen Chaudhury, Hemanta Kumar Roy Sen Chaudhury and others under the Court of Wards?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a copy of the text of the decision?

(*c*) Is it a fact—

(*i*) that the Board of Revenue signified its assent to the proposal of bringing the estates of abovementioned zemindars under the management of the Court of Wards; and

(*ii*) that the District Judge of Barisal ordered the properties to be managed by the Court of Wards?

(*d*) Is it a fact that the abovementioned zemindars have been managing their other estates elsewhere?

(*e*) Is the Hon'ble Minister aware that the Court of Wards' officials at Jowanpara have been managing the properties of one of the co-sharers, Sreejut Kiron Kumar Roy Chaudhury?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) No such petition was received by Government.

(*b*) Does not arise.

(*c*) Yes.

(*d*) Government have no information on this point.

(*e*) Yes.

Sj. NARENDRA NATH DAS GUPTA: মন্ত্রী মহাশয় স্মরণ রাখবার জন্য চেষ্টা কোরবেন কি যে গত ফেব্রুয়ারী মাসের প্রথম ভাগে আমি এই ব্যাপার নিয়ে মন্ত্রী মহাশয়ের সঙ্গে দেখা করি এবং নিজের হাতে তাঁর কাছে প্রজাদের পক্ষ হোতে আবেদন পত্র প্রদান করি।

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not remember to have received any petition, but I remember that the hon'ble member saw me. It is very difficult for me to remember what happened in February last.

Sj. NARENDRA NATH DAS GUPTA: মন্ত্রী মহাশয়কে এর পর মার্চ্চ মাসে এবং এপ্রিল মাসে এ সম্বন্ধে আমি জিজ্ঞাসা করি—তাঁর কি সিদ্ধান্ত হয়েছে, এবং তিনি আমাকে জানিয়েছিলেন যে—"এখনো পর্য্যন্ত কোন সিদ্ধান্ত হয় নাই"; একথা সত্য কিনা?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Introduction of Debt Settlement Boards in the unions of Faridpur district.

11. Al-Hadj CYASUDDIN AHMED CHOUDHURY: (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware that Debt Settlement Boards have not been established in many unions of the Faridpur district?

(*b*) If the answer to (*a*) is in the affirmative, are the Government contemplating the introduction of Settlement Boards in those unions immediately?

MINISTER in charge of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) Debt Settlement Boards have been established in 122 out of 234 unions.

(*b*) More Boards will be established when the local officers send proposals.

Mr. PROMATHA RANJAN THAKUR: With reference to answer (*b*), is the Hon'ble Minister aware that the rural people have to suffer, as the local officers make a lot of delay in sending their proposals for the establishment of these boards?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I have had no information of the kind mentioned by the hon'ble member.

Number of beds and cabins in the Calcutta Medical College Hospital.

12. Mr. RASIK LAL BISWAS: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state-

(*i*) how many beds are there in the hospital attached to the Calcutta Medical College; and

(*ii*) how many beds are in the European Wards (male and female) and cabins of the said hospital?

(*b*) Is there any difference in the matter of treatment, nursing, diet, clothing, comfort and the like between Indian Wards and European Wards?

(*c*) Is it a fact that an Anglo-Indian or European on slight disease can be admitted into the hospital attached to the Calcutta Medical College, but in the case of an Indian unless his disease becomes serious he cannot get admission into the hospital?

(*d*) In the last official year how much average expenditure per patient was incurred in the case of—

(*i*) European Wards; and

(*ii*) Indian Wards?

(*e*) If the expenditure per patient in the European Wards has been much higher than that in the Indian Wards, will the Government be pleased to provide some payment daily by patients of the European Wards to make up the differences of the patients of the said two classes of wards?

MINISTER in charge of COMMERCE and LABOUR and PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENTS (the Hon'ble Mr. H. S. Suhrawardy): (*a*) (*i*) 728 beds.

(*ii*) 150 beds in the European Wards. Cabins are common for Indians and Europeans. Indians are also admitted into the European Wards.

(*b*) There is no difference in the matter of treatment, etc., between Indian and European Wards except in diet.

(*c*) No.

(*d*) The average cost per month per patient of this hospital (taking Indians and Europeans together) was Rs. 86·90 in 1937. The expenditure under all the heads is the same both for Indian and European patients except in regard to diet as stated in (*b*) above.

(*e*) Does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what proportion do these two figures, 728 and 150, work out on the basis of the population in Calcutta of Indians and Europeans?

Mr. SPEAKER: That is purely a matter of mathematics.

Dr. NALINAKSHA SANYAL: He is a mathematician, Sir.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state the reason for this differentiation in diet between European and Indian patients in the Medical College Hospitals?

The Hon'ble Mr. H. S. SUHRAWARDY: I think it is physiological.

Mr. SYED JALALUDDIN HASHEMY: Is the Hon'ble Minister aware of the fact that this practice was followed in the Jail Department, but that differentiation in diet between European and Indian prisoners has ceased to exist?

The Hon'ble Mr. H. S. SUHRAWARDY: I have not followed the hon'ble member.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the respective scales of diet, for European patients and Indian patients separately?

The Hon'ble Mr. H. S. SUHRAWARDY: I have not precise figures with me, but so far as I remember, the European scale is somewhere near annas 12 per day, and the Indian scale about annas 7 per day, which is allotted, but the actual expenditure is less in the case of both.

Mr. SYED JALALUDDIN HASHEMY: Is the Hon'ble Minister aware of the fact that the questioner, Mr. Rasik Lal Biswas, had been recently a patient in the Medical College Hospital?

Mr. SPEAKER: How is that relevant? I don't think it is so

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state how far he can justify the fact that a distinction in respect of diet was made when one of the Indian members of this House was a patient in the Medical College Hospital?

The Hon'ble Mr. H. S. SUHRAWARDY: I regret very much that an Indian member of the House was a patient.

Dr. NALINAKSHA SANYAL: That is not the reply, Sir. He regrets that the hon'ble member was a patient, but he has overlooked the fact of his having been accorded differential treatment.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether he is prepared to do away with the distinction now existing in the Medical College Hospital with regard to diet of the Indian and European patients?

The Hon'ble Mr. H. S. SUHRAWARDY: There is no difference between the diet of a European patient and an Indian patient, but there is a difference between the diet of those who are used to Indian food and the diet of those who are used to European food. Indian patients who are used to European food get it on the same scale as European patients do.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that, apart from the question of diet, there are also certain other matters in which differential treatment is meted out?

The Hon'ble Mr. H. S. SUHRAWARDY: I have replied in the negative.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that in matters of dress, kinds of dress supplied to Indian patients are different from those supplied to European patients?

The Hon'ble Mr. H. S. SUHRAWARDY: I believe there is a sartorial difference between the two races.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware of the fact that in the matter of bed also there is a difference?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not aware of that.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is the intention of the Government to increase the number of Indian beds (728) according to the proportion between Indians and Europeans?

The Hon'ble Mr. H. S. SUHRAWARDY: It is not under the contemplation of Government. Government have not considered the matter as yet.

Mr. RASIK LAL BISWAS: The Hon'ble Minister has already admitted that there is a difference between the diet of an Indian and a European patient. Will the Hon'ble Minister be pleased to state whether he is going to abolish this sort of differentiation in the matter of diet?

Mr. SPEAKER: Make it "consider the desirability of".

The Hon'ble Mr. H. S. SUHRAWARDY: I think I am not prepared to consider the desirability of abolishing it, because it will operate harshly on those Indians also who take the heavier form of diet.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why there is found a necessity for maintaining two different wards, one for Indians and another for Europeans?

The Hon'ble Mr. H. S. SUHRAWARDY: I suppose the reasons will be found in ancient history. (Laughter).

Number and pay of Staff Nurses and Sisters in the Calcutta Medical College Hospitals.

13. Mr. RASIK LAL BISWAS: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) how many Staff Nurses and Sisters are at present in the hospitals attached to the Calcutta Medical College;

(*ii*) what grades of pay have been fixed for them;

(*iii*) what qualifications—educational and otherwise—necessary for employment as (1) Staff Nurse, (2) Sisters, (3) Lady Superintendent and (4) Matron;

(*iv*) do all the present Staff Nurses and Sisters possess the requisite qualifications;

(*v*) how many of these Staff Nurses and Sisters in the employ of the hospitals attached to the Calcutta Medical College are Indians; and

(*vi*) was any Indian ever employed in these posts; if not, why not?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a copy of the Statement or Rules defining or stating the duties of (1) the Staff Nurses and (2) Sisters?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*)(*i*) There are 3 Senior Nursing Sisters, 8 Ward Sisters and 30 Staff Nurses in the Medical College group of hospitals.

(*ii*) Their grades of pay are as follows—

Senior Nursing Sister—Rs. 200—300.

Ward Sister—Rs. 180—200.

Night Sister, Medical College Hospital—Rs. 160—200.

Night Sister, Prince of Wales Hospital—Rs. 130-165.

Night Sister, Eye Infirmary—Rs. 120.

Staff Nurse, Medical College Hospital (Ward)—Rs. 105—120.

Staff Nurse, Eden Hospital (Ward)—Rs. 120—150.

Staff Nurse, Eden Hospital (Labour Room)—Rs. 135—165.

Staff Nurse, Operation Theatre—Rs. 150.

(*iii*) *Staff Nurses* (Medical College Hospital)—General training (Senior Certificate, State Medical Faculty of Bengal). Educational qualification (minimum), Junior Cambridge.

Staff Nurses (Eden Hospital)—General and Maternity training (Senior Certificate, State Medical Faculty of Bengal). Educational qualification (minimum), Junior Cambridge.

Ward Sisters—General and Midwifery training (Senior Certificate of the State Medical Faculty of Bengal). Educational qualification (minimum)—Junior Cambridge.

Senior Nursing Sister—General and Midwifery training. Should possess a certificate from the Midwifery Board, London, or should have received training at a recognised hospital in the United Kingdom. Must be a State Registered nurse. Candidates should also have held satisfactorily some appointment of responsibility in a hospital and have shown sufficient evidence of capacity for hospital management.

Lady Superintendent or Matron—Should possess a certificate from the Midwifery Board, London, or should have had training at a recognised hospital in the United Kingdom. Should be a State Registered nurse. Should have ordinarily held satisfactorily the following posts:—Ward Sister, Night Sister, Senior Nursing Sister, Home Sister, Assistant Lady Superintendent or Assistant Matron.

(*iv*) Yes, with the exception of five Staff Nurses in the Eden Hospital who possess the Midwifery qualifications.

(*v*) One.

(*vi*) One Indian Staff Nurse was temporarily employed in the Medical College Hospital; she left on appointment elsewhere.

(*b*) Copies of the rules relating to the duties of Sisters and Staff Nurses are laid on the Library table.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if it is a fact that in spite of an overwhelmingly large number of Indian nurses and midwives, unqualified European nurses are appointed in the Medical College?

The Hon'ble Mr. H. S. SUHRAWARDY: I must repeat, Sir, that I am totally unable to follow the honourable member.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether he considers the desirability of giving appointments to qualified Indian nurses and midwives when future appointments will be made in the Medical College Hospital?

The Hon'ble Mr. H. S. SUHRAWARDY: I believe that is a principle which will be considered in the case of future appointments.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state why this practice has not been followed so long, as he says that one Indian nurse was temporarily appointed who has left since?

The Hon'ble Mr. H. S. SUHRAWARDY: I think the honourable member is aware that so far as these appointments are concerned, there is an autonomous body which controls them.

Mr. SYED JALALUDDIN HASHEMY: Is the Hon'ble Minister aware that Indian patients suffer most in the hands of the European nurses because the European nurses cannot follow the language of the Bengali patients there?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that these nurses mete out differential treatment to European patients as compared with Indian patients in the hospital?

Mr. SPEAKER: I am not prepared to allow this question The question is about the number and pay of nurses.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the number of nurses per hundred patients in the European section of the hospital as compared with the Indian section of the hospital?

The Hon'ble Mr. H. S. SUHRAWARDY: It is rather difficult to answer that question without proper notice, but I did make enquiries to find out whether it differs in the two cases, and I am told that there is no difference in the percentage.

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state whether the real reason for the want of Indian nurses is that the Junior Cambridge course is taught in European schools only.

The Hon'ble Mr. H. S. SUHRAWARDY: I think there are Indian ladies also who go in for Junior Cambridge Examination

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to give us some idea of the number of Indian lady students who go through the Junior Cambridge Examinations.

The Hon'ble Mr. H. S. SUHRAWARDY: I think that question might be put to the Education Minister.

Rents remitted and abated at Noabad Taluks.

14. Al-Haj Maulana Dr. SANAULLAH: (*a*) With reference to the reply to starred question No. 17 of the 14th February, 1938, will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) whether the Collector of Chittagong remitted and abated the rents of Noabad Taluks Nos. 23878 and 23879 in police-station Fatickchari; and

(*ii*) whether proportionate remissions and abatements were granted to the under-tenants?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the amounts reduced in Talukdars' rent and the corresponding reductions in rents of under-tenants?

(*c*) If the answer to clause (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Yes.

(*ii*) No.

(*b*) On the recommendations of the Special Jamabandi Officer the rent of Noabad Taluk No. 23878 was reduced from Rs. 3,760-12 to Rs. 3,267, i.e., by Rs. 493-12, and the rent of Noabad Taluk No. 23879 was reduced from Rs. 1,510 4 to Rs. 1,300, i.e., by Rs. 210-4, but rents of under-tenants were not reduced as that officer reported that none of these rents was unduly high so as to require a proportionate reduction.

(*c*) Does not arise.

Mr. ABDUL HAKEEM: With reference to answer (*b*), will the Hon'ble Minister be pleased to state the highest rate of rent payable by talukdars as well as the highest rate of rent payable by their under-tenants?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice, Sir.

Forest administration in Chittagong district.

15. Al-Haj Maulana Dr. SANAULLAH: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state whether as a result of the Conference and consultations with the M.L.A.'s of the Chittagong district, the Conservator of Forests, Southern Circle, has submitted any report to the Government regarding the Forest administration in the said district?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, do the Government propose to take on that report to ameliorate the condition of the peasants residing near the reserved and protected forests of the district?

MINISTER in charge of FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) A report on the subject has been received from the Conservator of Forests, Southern Circle.

(*b*) The measures which Government propose to take are still under consideration and discussion.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that recently a large number of tenants in that forest area have been asked to quit under peremptory orders from the Forest Department?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I am aware of the fact.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what action Government proposes to take to restore the tenancy rights and other rights of these unfortunate persons who have been asked to quit?

The Hon'ble Mr. PRASANNA DEB RAIKUT: They are engaged on certain agreements with the Forest Department.

Khan Bahadur Maulvi FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state how many years it will take Government to give relief to these poor peasants?

Mr. SPEAKER: That question has been answered already.

Relief to the peasants in certain areas of Kurigram.

16. Kazi EMDADUL HAQUE: (*a*) Is the Hon'ble Minister in charge of the Revenue Department considering the desirability—

(*i*) of supplying *aman* seeds free of cost to the peasants afflicted by the recent flood in the Kurigram subdivision; and

(*ii*) of giving gratuitous loan to the peasants in the distressed area?

(*b*) If the gratuitous loan for the purpose be not available, are the Government considering the desirability of giving loan at nominal rate of interest to the peasants of the afflicted area for payment of rents and debts as well as for the purchase of rice and other necessaries of life?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) A sum of Rs. 5,000 has been placed at the disposal of the Collector for gratuitous relief, it being left to his discretion to afford the relief in the form he considers most suitable.

(*b*) A sum of over a lakh of rupees has already been given away in agricultural loans in the district at a moderately low rate of interest. Under section 4 of the Agriculturists Loans Act (Act XII of 1884), such loans can be given only to owners and occupiers of arable land for the relief of distress, the purchase of seed or cattle and other purposes not specified in the Land Improvement Loans Act, 1883, but connected with agricultural objects.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state the number of landless people in the area in question?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is very difficult to answer that question without notice.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to look into the census report to ascertain that number?

Mr. SPEAKER: That is not a question. You can look it up yourself.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether Rs. 5,000 is sufficient to meet the requirement of the area?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government do not put any limit. The amount is unlimited, and any amount that may be necessary Government are prepared to supply.

Failure of crops in the Natore thana, Rajshahi, due to inundation.

17. Maulvi MOSLEM ALI MOLLAH: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the whole of the Atrai, Bagmara, Manda, Mohanpur, Singra and the surrounding villages of the Halti Bil in the Natore thana of the Rajshahi district have been inundated;

(*ii*) that all the crops of those places, namely, *aus*, *aman* and *boro* paddies, *til* and jute have been altogether spoiled thereby;

(*iii*) that the people living in these places are bordering on starvation; and

(*iv*) that diseases like Malaria, Cholera and Typhoid have already broken out in some places of those thanas in an epidemic form?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of enquiring into the matter immediately with a view to taking necessary steps for relief?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Parts of these thanas were inundated.

(*ii*) *Aus*, *boro*, *bona* paddy and jute have been damaged; but there is yet time for *ropa* paddy in areas which are not low-lying.

(*iii*) and (*iv*) No.

(*b*) Local officers are making enquiries to find out if and what relief measures are necessary.

Mr. SURENDRA MOHAN MAITRA: Will the Hon'ble Minister in charge be pleased to state what is the proportion of the thanas which are alleged to have been inundated? The question was whether the whole of the thanas have been inundated and the answer was "parts of the thanas". May I know what is the proportion?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I ask for notice. I have got those figures with me, and if the honourable member will kindly come over to my room I shall place all the figures before him.

Mr. M. ASHRAF ALI: With reference to answer 17 (*a*) will the Hon'ble Minister be pleased to state how many square miles in the Natore subdivision are under water?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The same reply I will give to this question. If the honourable member will kindly come over to my room I will show him all the figures.

Mr. SURENDRA MOHAN MAITRA: Is the Hon'ble Minister in charge prepared to contradict me if I say that about six hundred square miles of these thanas are under water?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It may be so, but I am not in a position either to contradict or to support the honourable member.

Mr. M. ASHRAF ALI: Are Government prepared to give gratuitous relief?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Certainly, Sir, where necessary.

Mr. SURENDRA MOHAN MAITRA: With reference to answer 17 (*ii*), is the Hon'ble Minister aware that in the Natore subdivision *ropa* paddy is hardly grown?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is not Government's information.

Mr. SURENDRA MOHAN MAITRA: May I know what is the foundation for this information?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The information has been ascertained from local officers.

No-confidence motions.

Mr. SPEAKER: The Second List of Unstarred Questions is over. I will take up the other unstarred questions to-morrow. There are any number of motions of no-confidence of which leave has been asked for, which will take some time. I will ask those gentlemen who have given notice of them to rise in their seats one after another.

Mr. AFTAB ALI: Mr. Speaker, Sir, I beg to ask for leave to move the following motion in the current session of the Bengal Legislative Assembly :—

> "That this Assembly expresses its want of confidence in the Hon'ble Mr. H. S. Suhrawardy, Minister for Commerce, Labour, Public Health and Local Self-Government."

May I have your consent to do so?

Mr. SPEAKER: Leave has been asked for by Mr. Aftab Ali to move a motion of no-confidence in the Hon'ble Mr. H. S. Suhrawardy, Minister of Commerce and Labour, Local Self-Government and Public Health. I would ask those members who are in favour of leave being granted to rise in their seats.

(More than 82 members having risen in their seats—)

As more than eighty-two members have risen in their seats, leave is granted. As regards the fixing of the date I will do that later on.

Maulvi ABU HOSSAIN SARKAR: Sir, I beg leave of the House to move the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, Minister for Agriculture and Industries."

May I have your consent, Sir?

Mr. SPEAKER: Yes, you have my consent. Leave has been asked for by Maulvi Abu Hossain Sarkar to move a motion of no-confidence in the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, Minister for Agriculture and Industries. Those who are in favour of leave being granted will kindly rise in their seats.

(More than 82 members having risen in their seats—)

As more than eighty-two members have risen in their seats leave is granted.

Dr. H. C. MUKHERJI: I beg leave of the House to move the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Sir Bijoy Prasad Singh Roy, Minister for Revenue."

May I have your consent, Sir, to do so?

Mr. SPEAKER: Leave has been asked for by Dr. H. C. Mukherji to move a motion of no-confidence in the Hon'ble Sir Bijoy Prasad Singh Roy. Those who are in favour of leave being granted, will kindly rise in their seats.

(More than eighty-two members having risen in their seats—)

Leave is granted in this case also. I will fix a date later on.

Mr. J. N. GUPTA: I beg leave of the House to move the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Mr. Nalini Ranjan Sarker, Minister for Finance."

Mr. SPEAKER: Leave has been asked for by Mr. J. N. Gupta for moving a motion of no-confidence in the Hon'ble Mr. Nalini Ranjan Sarker, Minister for Finance. Those members who are in favour of leave being granted will rise in their seats.

(More than eighty-two members having risen in their seats—)

Leave is granted. I will fix a date later on.

Mr. JOGENDRA NATH MANDAL: Sir, I beg to ask for leave to make the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Mr. Prasanna Deb Raikut, Minister for Forests and Excise."

May I have your consent to do so?

Mr. SPEAKER: Leave has been asked for, with my consent, by Mr. J. N. Mondal for moving a motion of no-confidence in the Hon'ble Mr. Prasanna Deb Raikut, Minister for Forests and Excise. Those members who are in favour of leave being granted will please rise in their seats.

(More than 82 members having risen in their seats—)

Leave is granted for this motion being moved. I will fix the date later on.

Maulvi TAMIZUDDIN KHAN: Sir, I beg to ask for leave to make the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Nawab Musharruff Hossain, Khan Bahadur, Minister for Judicial and Legislative Department."

May I have your consent to do so?

Mr. SPEAKER: Leave has been asked for, with my consent, by Maulvi Tamizuddin Khan for moving a motion of no-confidence in the Hon'ble Nawab Musharruff Hossain, Khan Bahadur, Minister for Judicial and Legislative Departments. Those members who are in favour of leave being granted will please rise in their seats.

(More than 82 members having risen in their seats—)

Leave is granted for this motion being moved. I will fix the date later on.

Mr. M. SHAMSUDDIN AHMED: Sir, I beg to ask for leave to make the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Khwaja Sir Nazimuddin, Home Minister."

May I have your consent to do so?

Mr. SPEAKER: Leave has been asked for, with my consent, by Mr. M. Shamsuddin Ahmed for moving a motion of no-confidence in the Hon'ble Khwaja Sir Nazimuddin, Home Minister. Those members who are in favour of leave being granted will please rise in their seats.

(More than 82 members having risen in their seats—)

Leave is granted for this motion being moved. I will fix the date later on.

Mr. PROMATHA RANJAN THAKUR: Sir, I beg to ask for leave to make the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Mr. Mukunda Behary Mullick, Minister for Co-operative Credit and Rural Indebtedness."

May I have your consent to do so?

Mr. SPEAKER: Leave has been asked for, with my consent, by Mr. Promatha Ranjan Thakur for moving a motion of no-confidence in the Hon'ble Mr. Mukunda Behary Mullick, Minister for Co-operative Credit and Rural Indebtedness. Those members who are in favour of leave being granted will please rise in their seats.

(More than 82 members having risen in their seats—)

Leave is granted for this motion being moved. I will fix the date later on.

Mr. ABDUL HAKEEM: Sir, I beg to ask for leave to make the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Mr. A. K. Fazlul Huq, Chief Minister in charge of Education."

May I have your consent to do so?

(Cries of "Shame, shame" from the Coalition Group.)

Mr. SPEAKER: It is an inherent right of a member to move a vote of no-confidence in the Ministry, and it is not by crying "Shame, shame" but by other acts that the disapproval of the party which is crying "Shame, shame", should be shown.

Leave has been asked for, with my consent, by Mr. Abdul Hakeem, for moving a motion of no-confidence in the Hon'ble Mr. A. K. Fazlul Huq, Chief Minister in charge of Education. Those members who are in favour of leave being granted will please rise in their seats.

(More than 82 members having risen in their seats—)

Leave is granted for this motion being moved. I will fix the date later on.

Mr. DHANANJOY ROY: Sir, I beg to ask for leave to make the following motion in the current session of the Bengal Legislative Assembly:—

"That this Assembly expresses its want of confidence in the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar, Minister for Communications and Works."

May I have your consent to do so?

Mr. SPEAKER: Leave has been asked for, with my consent, by Mr. Dhananjoy Roy for moving a motion of no-confidence in the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar, Minister for Communications and Works. Those members who are in favour of leave being granted will please rise in their seats.

(More than 82 members having risen in their seats—)

Leave is granted for this motion being moved. I will fix the date later on.

Adjournment motion.

Kazi EMDADUL HAQUE: Sir, I beg to ask for leave to move a motion of adjournment of which I have given notice.

Mr. SPEAKER: This adjournment motion is out of place. You should have risen immediately after the "Questions".

I have not yet decided the question about time. I must fix a date when these motions will be taken up.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. You announced at the outset a certain procedure, viz., that after the "Questions" you would be taking up certain motions——

Mr. SPEAKER: Alright, I will waive the objection. It may be raised to-morrow.

Date of No-Confidence Motions.

Mr. SPEAKER: As regards the date, it is a matter which may best be arranged between the Leader of the House and the Leader of the Opposition. If between them they cannot agree, then, subject to what is convenient, I would like to know from the Leader of the Opposition as to what date would suit him.

Mr. SARAT CHANDRA BOSE: May I suggest next Friday for taking up these motions?

Mr. SPEAKER: I think, I should fairly explain to you that if this debate goes on for two days it will have to be carried over from Friday to Monday. So in fixing a date this aspect of the matter should not be lost sight of. I would therefore like to consult the Leader of the House.

Mr. SARAT CHANDRA BOSE: May I just point out, Sir, that motions like these should be disposed of as early as possible?

Mr. SPEAKER: May I know from the Leader of the House what date will suit him?

The Hon'ble Mr. A. K. FAZLUL HUQ: I entirely agree that a decision should be come to as quickly as possible. The difficulty is that there are as many as ten motions and certainly they will not be finished in one day. And as you have pointed out, there is every likelihood of the debate being carried over to the next week. I would therefore suggest that Tuesday should be fixed for these motions as Monday is the day on which the Council meets.

Mr. SPEAKER: That has nothing to do with the business of this House.

The Hon'ble Mr. A. K. FAZLUL HUQ: As you please, Sir. Either Monday or Tuesday may be fixed.

Mr. SPEAKER: Would it be convenient, Mr. Bose, if Monday be fixed? I may explain that if Friday is fixed, there would be a gap of two days and the debate will have to be carried over to Monday.

Mr. SARAT CHANDRA BOSE: May I suggest, Sir, that it would be better to have it on Friday and to continue our sitting until the disposal of these motions? After all, when we have taken upon ourselves the responsibility of being legislators, we should not mind sitting even till mid-night, if necessary.

Mr. SPEAKER: In a matter like this, where there is a question of no-confidence, I would not like to press the matter too much. I would like to see to the convenience of all sections of the House. After considering all the aspects of the matter, I think it would have been better if we could finish the debate in one day. But knowing as I do the temper of the House and the inclination of the members in the matter of speeches, remembering also the nature of the issues at stake and the number of members that are likely to take part in the debate, and remembering that since the inauguration of the new constitution in this province this is the first debate of its kind, I would not like to stultify discussion on these motions. I therefore fix Monday, the 8th August, at 4 p.m., for the discussion of these motions.

Adjournment.

The House was then adjourned till Wednesday, the 3rd August, 1938, at 3-45 p.m., at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 3rd August, 1938, at 3-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, ten Hon'ble Ministers and 228 members.

Mr. SPEAKER: Before questions are taken up, I would like to inform the House that, in connection with the supplementary demands the discussion of which has been fixed for to-morrow, we have got notices of about 200 motions for amendment. I had, therefore, no other alternative but to write to Government to arrange, if possible, postponing the discussion on that day, because it is impossible to arrange these motions, to print them off and to place the agenda before the members in time. Of course I do not know what Government's decision will be, but it is quite possible that I may receive a communication from them postponing this matter till the day after to-morrow. I would, however, like to give this warning beforehand in case the demands may not be taken up to-morrow, but the day after to-morrow or later.

STARRED QUESTIONS

(to which oral answers were given)

Ballot-voting by symbols in Municipal and other local bodies.

*13. **Rai HARENDRA NATH CHAUDHURI:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state the result of the Government consideration of the problem of introduction of the system of ballot-voting by symbols in the municipal elections and those of the other local bodies in the province?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): I regret, Sir, that there is an inaccuracy in the printed answer. The system of ballot-voting by symbol has been introduced

in the case of direct elections to the District Board. With regard to other local bodies, namely, Municipalities and Union Boards the matter is under consideration.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to tell us the approximate time when this matter will be given effect to?

The Hon'ble Mr. H. S. SUHRAWARDY: As soon as it is humanly possible.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to tell us whether there is any possibility that in the next general election of the Local Boards and Municipalities, the scheme can be given effect to or not?

The Hon'ble Mr. H. S. SUHRAWARDY: I believe that the general elections to Local Boards and Municipal Bodies are held at different times for different Local Bodies.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state how long this matter has been under the consideration of Government?

The Hon'ble Mr. H. S. SUHRAWARDY: So far as this particular portfolio is concerned, it has been under Government's consideration for nearly a month.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister please state when was this question first raised and brought to the notice of Government?

The Hon'ble Mr. H. S. SUHRAWARDY: I ask for notice, but so far as I am concerned, it has been brought to my notice within the last month.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister please state what steps have been taken with regard to the consideration of this matter so far? I mean how is the matter being considered?

The Hon'ble Mr. H. S. SUHRAWARDY: It is being considered.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether he is aware of the fact that the next general election of the Local Boards in the Presidency Division will come up next year?

The Hon'ble Mr. H. S. SUHRAWARDY: I doubt very much whether the system of ballot-voting by symbol will be adopted in the Local Boards election at any time inasmuch as it is in contemplation of practically all persons that Local Boards in course of time will be abolished; and it is not worth while therefore introducing the system there. The system, so far as the Municipalities and Union Boards are concerned, is still being considered. There are difficulties in the way which would be apparent to any one with practical knowledge of election in these bodies.

Mr. SYED JALALUDDIN HASHEMY: From the statement of the Hon'ble Minister are we to understand that the Local Boards in the Presidency Division will be abolished from next year?

Mr. SPEAKER: You can draw such inference as you like.

Nominations of members to represent labour in the Municipal bodies.

***14. Mr. NIHARENDU DUTTA MAZUMDAR:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) on what principles do Government select nominees in filling up the quota of nominated seats in municipal bodies,

(*b*) whether Government are considering the desirability of expediting necessary measures—

(*i*) for the immediate abolition of the system of nominations on municipal bodies,

(*ii*) for the immediate introduction of the system of voting by secret ballot, and

(*iii*) by symbols as in the case of election to the Provincial Legislative Assembly;

whether there are any rules framed by Government for regulating the selection of its nominees on municipal bodies,

(*d*) if so, will he be pleased to lay them on the table;

(*e*) whether Government are considering the desirability of selecting a certain proportion of its nominees on municipal bodies to represent the interests of labour; and

(*f*) if the answer to (*e*) is in the affirmative, are the Government considering the desirability of acting upon the expressed wishes of the majority of the labouring population of the locality concerned until such time as it may be possible to do away with the system of nomination by proper legislative enactments?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) In making nominations to the municipalities Government endeavour to secure the association of persons specially fitted for appointment as Commissioners and the representation, wherever possible, of minorities of importance who have not been able to secure representation by election.

(*b*) The matter is under consideration.

(*c*) No.

(*d*) Does not arise.

(*e*) Government do nominate representatives of labour in municipalities with a substantial labour population.

(*f*) Government are always prepared to take into consideration the wishes of the labour population.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister please state how does Government find out the suitability of a person or persons to be nominated to represent the interests of Labour on Municipal Bodies?

The Hon'ble Mr. H. S. SUHRAWARDY: Government has its own source of information and also knowledge.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister please tell us whether failure in election is taken into consideration in making such nominations?

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what is the precise method of selecting such persons for nomination? Is it according to the personal choice of the Hon'ble Minister, or is there some other method in vogue?

The Hon'ble Mr. H. S. SUHRAWARDY: There is no method adopted; in fact, no method can be adopted.

Mr. SPEAKER: Mr. Haque, I must say that I now find that your question is relevant. So far as I remember your question was

whether failure in election was taken into consideration in making nominations. Will you please repeat it?

Kazi EMDADUL HAQUE: Exactly so, Sir, my question was this: will the Hon'ble Minister please state whether failure in election is taken into consideration in making nominations—whether, that is, failure does operate as a qualification or disqualification for nomination?

The Hon'ble Mr. H. S. SUHRAWARDY: In making a nomination, if Government desire to nominate a particular person they may take into consideration the fact whether that person has failed in election or not.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister please state on what points Government obtain information before making a nomination?

The Hon'ble Mr. H. S. SUHRAWARDY: On the general suitability of the person for nomination and his ability to act as a Commissioner of a Municipality.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister please state what information enables Government to judge the general suitability of the intending nominee?

The Hon'ble Mr. H. S. SUHRAWARDY: Local officers when recommending names to Government usually state the reasons for their nominations and place the qualifications of the gentlemen recommended for the consideration of Government.

Mr. NIHARENDU DUTTA MAZUMDAR: With regard to answer (*f*), will the Hon'ble Minister be pleased to state if Government is considering the desirability of inviting names from the local labour organizations in these municipal areas?

The Hon'ble Mr. H. S. SUHRAWARDY: Government cannot throw itself open to invitations of this kind, but local labour organizations are at liberty to represent their wishes.

Salt Industry.

*15. **Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state whether it is a fact that the Special Officers who were deputed to investigate into the possibilities of salt industry in Bengal have

submitted their report and have expressed the opinion that under certain conditions salt can be economically and successfully manufactured in this province?

(*b*) When do Government propose to publish the full report of these officers?

(*c*) What action have Government taken on the report so far and what do they propose to do in the near future?

(*d*) Is it a fact that as a result of certain agreements reached between the salt manufacturers of Bombay, Karachi and Aden, following the decision of the Government of India not to reimpose the additional salt import duty, the local manufacturers of salt as well as the people of Bengal in general are likely to suffer economically?

(*e*) If so, what steps do Government propose to take to prevent the losses?

MINISTER in charge of the FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) Yes.

(*b*) and (*c*) It is under consideration of Government.

(*d*) The local manufacturers of salt cannot suffer by the agreement reached. According to the agreement the quota of the Bengal manufacturers is 15,000 tons a year which may be increased as production increases. The officers appointed to enquire into the possibility of development of salt industry in Bengal have estimated that with the present fuel supply, it will be possible to manufacture only 140,000 tons a year. Bengal imports about 520,000 tons a year. The total production of the salt companies so far established in Bengal may be reckoned at 4,000—5,000 maunds a year at present. It does not appear that the agreement will operate to the disadvantage of the local manufacturers.

There is no apprehension that the people of Bengal in general are likely to suffer from the agreement reached.

(*e*) Does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state when the consideration by Government of these reports will be finished?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is very difficult to say exactly when, but it will be finished as soon as possible.

Dr. NALINAKSHA SANYAL: Will the report be published for the information of the public?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Yes, later on.

Dr. NALINAKSHA SANYAL: With reference to the last part of answer (*d*), will the Hon'ble Minister be pleased to state whether the price of salt will be raised in Bengal as a result of this agreement and whether a higher price will or will not affect the people of Bengal in general?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is not for this Government to say whether the price will increase, but for the Central Government who is primarily concerned with this subject.

Dr. NALINAKSHA SANYAL: Government have replied that there is no apprehension that the people of Bengal in general are likely to suffer from the agreement reached. In that connection may I enquire if it is possible that as a result of the agreement between the producers of salt in Aden, Karachi and Bombay, there will be a rise in the price of salt in Bengal, and if so, whether the people of Bengal will suffer or not.

The Hon'ble Mr. PRASANNA DEB RAIKUT: No, Sir. My friend Dr. Nalinaksha Sanyal apprehends that the price will increase, but I do not think it will. Besides, only four to five thousand maunds of salt are manufactured in Bengal, and therefore I do not think that the manufacturers will also suffer.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government are considering the desirability of making experiments on the lines of the Burma Government in the matter of salt manufacture in the Sundarbans as recommended in the report?

Mr. SPEAKER: How does that come in?

Dr. NALINAKSHA SANYAL: Sir, in reply to the question as to whether under certain conditions salt can be economically and successfully manufactured in Bengal, the Hon'ble Minister has said, yes. And therefore I am going further and asking, what are the particular steps under contemplation of Government for the manufacture of salt in the Sundarbans?

The Hon'ble Mr. PRASANNA DEB RAIKUT: The matter is under the consideration of Government.

Maulvi ABDUL WAHAB KHAN: Will Government consider the desirability of investigating into the possibility of having a salt industry in the district of Bakarganj, which has got large salt-producing areas along its sea-coast?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I cannot say off-hand whether Bakarganj will be suitable for salt manufacture.

Prohibition by Government against liquors in the Noakhali district.

***16. Maulvi ABDUL BARI:** (*a*) Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state what is the nature of prohibition that has been undertaken by the Government in the district of Noakhali?

(*b*) Whether prohibition has been directed against liquors only or against drugs as well?

(*c*) What is the revenue of the Government in the district of Noakhali from the sale of—

(*i*) liquor; and

(*ii*) drugs?

(*d*) What is the fall in Government revenue after the enforcement of the policy of prohibition?

(*e*) What district does the Government next intend to pursue its policy of prohibition?

The Hon'ble Mr. PRASANNA DEB RAIKUT: (*a*) The prohibition in the district of Noakhali was undertaken as an experimental measure from the 1st April, 1938, and it extends only to sale and manufacture of alcoholic beverages.

(*b*) The prohibition has been extended to liquors only and not to drugs.

(*c*) (*i*) Rs. 4,044 during the year 1937-38.

(*ii*) Rs. 27,569 during the year 1937-38.

(*d*) The total fall in Excise revenue from April, 1938, to June, 1938, is Rs. 714 as compared with the revenue during the corresponding period of the previous year.

(*e*) This will be decided after the result of experiment in Noakhali is watched for some time.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state the name of the place in the district of Noakhali where alcoholic beverages were manufactured before the policy of prohibition was adopted by Government?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is very difficult to say off-hand where alcoholic beverages used to be manufactured.

Mr. SYED JALALUDDIN HASHEMY: Is it or is it not a fact that in the district of Noakhali there was or is no distillery for manufacturing such beverages?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I ask for notice.

Mr. SYED JALADUDDIN HASHEMY: On a point of order, Sir. It is stated in answer to the question that the policy of prohibition in the district of Noakhali extends to the sale and manufacture of alcoholic beverages. As there is no such distillery, this answer is rather not to the point and therefore out of order.

Mr. SPEAKER: Unfortunately, I have no information about the manufacture of alcoholic beverages in Noakhali, and so I cannot say anything. (Laughter.)

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state whether alcoholic beverages include foreign liquor, country liquor and *tadi*?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Certainly, it includes foreign liquor as well as country liquor; *tadi* is also included.

Dr. H. C. MUKHERJI: With reference to the amount stated in answer (*c*) (*i*), does it include the revenue derived from foreign liquor, country liquor and *tadi*, or does it concern the revenue derived from country liquor and *tadi* only?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is from all.

Mr. PRAMATHA RANJAN THAKUR: What is the idea behind confining the policy of prohibition to liquors only and not extending it to drugs? Is it because drugs carry more revenue?

The Hon'ble Mr. PRASANNA DEB RAIKUT: For the present it is the policy of Government that prohibition will be confined to liquor only.

Dr. H. C. MUKHERJI: Is it not a fact that there were only two foreign liquor shops yielding a revenue of Rs. 71 and not a single *tadi* shop in Noakhali?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I ask for notice.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state why Noakhali has been selected first?

Mr. SPEAKER: That question does not arise.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the experiments so far made in the district of Noakhali will encourage Government to extend the operations to any other district?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It all depends on the experiment.

Ordinary Debt Settlement Boards in Rajshahi district.

***17. Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the number of ordinary Debt Settlement Boards established in the district of Rajshahi up till now; and

(*ii*) how many of them have been invested with powers under sections 9 (*2*), 13 (*2*), 19 (*1*) (*b*), 21 and 22 (*1*)?

(*b*) If none of the Boards have been invested with special powers as mentioned in (*a*) (*ii*), does the Hon'ble Minister consider the desirability of calling for recommendations from the local authorities for some or all the powers to selected Boards?

(*c*) Is the Hon'ble Minister aware that ordinary Debt Settlement Boards cannot speedily dispose of suits in the absence of special powers?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) 96.

(*ii*) All the Boards are empowered under sections 9 (*2*) and 13 (*2*) but none under sections 19 (*1*) (*b*), 21 and 22 (*1*).

(*b*) Recommendations have already been called for for investment of selected ordinary Boards with powers under section 19 (*1*) (*b*).

(*c*) No.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state with reference to answer (*c*), namely, 'No', whether he is unaware of any or whether there has been no such difficulty experienced by the Boards?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: My answer 'No' indicates that ordinary debt settlement boards can dispose of suits in the absence of special powers.

Promotion of Assistants in the Communications and Works Department in the regime of present Assistant Secretary.

*18. **Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state how many cases, if any, of office promotion, both officiating and permanent, have been made in the Communications and Building Branch by superseding senior Assistants since the appointment of the present Assistant Secretary?

(*b*) Is it a fact that two junior Hindu Assistants who did not even cross the efficiency bar have been promoted to Upper Division posts by superseding many senior Assistants who officiated on many occasions?

(*c*) Is it a fact that one Hindu Assistant who was not considered fit for Head Assistantship has been promoted to junior selection grade?

(*d*) Is it a fact that one Upper Division Assistant has been given extension on completion of his full period of qualifying service? If so, why?

(*e*) Is it a fact that certain contractors made certain allegations against the Assistant Secretary of the Communications and Building Branch and that an enquiry was held?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state what was the result of the enquiry?

(*g*) Is it a fact that the present Assistant Secretary has been appointed on trial?

(*h*) Will the Hon'ble Minister be pleased to state when the trial period of the present Assistant Secretary will expire?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Cossimbazar): (*a*) There have been some cases of promotion both permanent and officiating and they were given strictly according to merit, as required under the rules. No question of supersession arises in such cases.

(*b*) Yes, because they were considered to be the most efficient for such promotion. It is not necessary for them to reach efficiency bar before promotion.

(*c*) and (*d*) No.

(*e*) Yes, some were made.

(*f*) Allegations were not substantiated.

(*g*) No.

(*h*) Does not arise.

Dr. NALINAKSHA SANYAL: With reference to answer (*e*) and (*f*), will the Hon'ble Minister be pleased to state who made the enquiries and whether opportunity was given to the complaining contractors to substantiate their allegations before that Enquiry Officer?

The Hon'ble Mahafaja SRIS CHANDRA NANDY, of Cossimbazar: I am perfectly satisfied that the enquiry which was made was done in the proper way.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I wanted to know who made the enquiry and whether the complainants were given an opportunity of substantiating their charges before that officer. The reply must be specific.

Mr. SPEAKER: How does it arise?

Dr. NALINAKSHA SANYAL: Out of (*e*) and (*f*), Sir.

Mr. SPEAKER: Yes, you are perfectly right to ask who made the enquiry. The first part is all right, but not the latter part.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: The Chief Engineer.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he knows that one hon'ble member of this Assembly personally handed over to the Hon'ble Minister a series of complaints specifically pointing out the allegations made against the Assistant Secretary? Will he be pleased to state what action has been taken on those allegations?

Mr. SPEAKER: I am afraid, that question does not arise.

Dr. NALINAKSHA SANYAL: Sir, it does.

Mr. SPEAKER: How?

Dr. NALINAKSHA SANYAL: From the question regarding Assistant Secretary—"Is it a fact that certain contractors made certain allegations against the Assistant Secretary', etc."

Mr. SPEAKER: The Assistant Secretary is not a contractor!

Dr. NALINAKSHA SANYAL: It is just the same, Sir.

Mr. SPEAKER: No, no.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that an hon'ble member handed over to the Hon'ble Minister a complaint by the contractor containing certain allegations, and specific cases were pointed out to him, and investigations were sought for? May we know what action has been taken on that?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: It the hon'ble member wants me to name the hon'ble member who handed over those allegations I may say that it is Dr. Nalinaksha Sanyal. I may assure my hon'ble friend that a thorough enquiry was made into the allegations, and as I had occasion to say in reply to another question last session, the allegations were proved baseless.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether it is a fact—as arising out of this enquiry or not—that a brother of this Assistant Secretary has been given contracts in the Department.

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: It does, Sir. He says they are baseless. I am specifically pointing out those charges, and I want specific replies. He says they are baseless, but these matters are true, and can be proved at any moment.

Mr. SPEAKER: Under the rules, you cannot hold a debate on a question. You can ask for information.

Dr. NALINAKSHA SANYAL: I am trying to elicit information whether one of the allegations was that some relations including the brother of the said Assistant Secretary had been given contracts to the exclusion of or to the detriment of the interests of other contractors, and whether this fact has been found to be true or false.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: That is not a fact. The contractor in question was a contractor of the Department before the Assistant Secretary joined. Besides, the Assistant Secretary has nothing to do with contractors.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this contractor has been given larger number of contracts ever since the new Assistant Secretary was appointed, and also if it is a fact that other brothers and relations were also——

Mr. SPEAKER: I am afraid you are not right unless you say what is the nature of the allegation. You can ask a question as to whether one of the allegations was this——

Dr. NALINAKSHA SANYAL: If you will allow me to put two questions, it is alright. But I am only trying to economise time.

Mr. SPEAKER: I am afraid I will have to be very rigid in a question where the rights of the other parties who are not present in this House are involved. While I may give full liberty, at the same time it is also my duty to see that rights of others are duly protected.

Dr. NALINAKSHA SANYAL: But the Government do not reveal facts, Sir.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: May I point out, Sir, that this question deals with promotion of assistants of the department and has nothing to do with the conduct of the particular Assistant Secretary. My hon'ble friend may put in a separate question later on if he so chooses.

Mr. SPEAKER: I think, Dr. Sanyal, the Hon'ble Minister is right. I do not think the question of allegations about the contract work has arisen in the question——.

Dr. NALINAKSHA SANYAL: The allegation was about the conduct of the Assistant Secretary.

Mr. SPEAKER: The heading is "promotion of assistants". I took it that this was a question regarding the promotion itself, and surely your question is a substantial question by itself. You must admit that.

Dr. NALINAKSHA SANYAL: Well, it arises out of it, Sir.

Mr. SPEAKER: Very very remotely.

Dr. NALINAKSHA SANYAL: If you won't allow, I won't press.

Mr. SPEAKER: I think that question does not arise.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state what was the nature of the merit for making the promotions referred to in answer (*a*)?

Mr. SPEAKER: I am afraid this is a general question and it cannot rise out of the question which was not of a general character.

Appointments made in the various branches under the Hon'ble Finance Minister.

*19. **Mr. SYED ABDUL MAJID:** With reference to the answer to starred question No. 234, dated the 17th March, 1938, will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) why only 4 out of 33 posts were given to Mussalmans in the various branches under his charge since the 1st April, 1937;

(*b*) why Government circular fixing the minimum percentage for Muslims was not followed in this case;

(*c*) whether the posts were advertised; and

(*d*) if so, in which papers and on what dates?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): (*a*) In the case of stenographers the small number of Muslim appointments was due to the small number of qualified Muslim candidates In the case of Assistants the small number of Muslim appointments was due partly to dearth of candidates who had qualified at the Clerkship Examination and partly to the retention in new temporary vacancies of holders of expiring temporary vacancies.

(*b*) The explanation given to me is that the Government circular was interpreted as not applying to temporary vacancies. I have passed orders that it shall be applied to temporary vacancies in future.

(*c*) No.

(*d*) Does not arise.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister in charge of Finance be pleased to state whether there are Muslim candidates in the waiting list who have passed the clerkship examination, but have not been appointed as yet?

The Hon'ble Mr. NALINI RANJAN SARKER: I want notice, Sir.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister in charge of Finance be pleased to state whether it is a fact that the Government have recently fixed the percentage of Muslims for the clerical service at 33⅓?

Mr. SPEAKER: That question does not arise.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state how many Muslim candidates applied for the post of stenographers?

The Hon'ble Mr. NALINI RANJAN SARKER: I want notice.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state who gave the information to the Hon'ble Minister that the circular did not apply to the temporary appointments?

The Hon'ble Mr. NALINI RANJAN SARKER: Some respectable officer of the department.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state how many steno-typists have been appointed since his assumption of office?

The Hon'ble Mr. NALINI RANJAN SARKER: Eighteen temporary.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state how many out of those 18 are Hindus and how many are Muslims?

The Hon'ble Mr. NALINI RANJAN SARKER: Sixteen Hindus and two Muslims.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state how many among the Hindus appointed are Bengalees and how many are non-Bengalees?

The Hon'ble Mr. NALINI RANJAN SARKER: I want notice. They were selected by the Public Service Commission.

Administration of Jessore Jail.

***20. Mr. ATUL KRISHNA GHOSE:** (*a*) Is the Hon'ble Minister in charge of the Home (Jails) Department aware—

(*i*) that there is no money set apart in the administration of Jessore Jail to purchase books; and

(*ii*) that there is hardly any book worth reading?

(*b*) Will the Hon'ble Minister be pleased to state the number of books in the Jessore Jail?

(*c*) Is the Hon'ble Minister considering the desirability of allocating some fund enabling the district and subdivision jails to purchase some books and at least one daily Bengali journal so that the prisoners may be in touch with the outside world?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) There is an annual allotment of Rs. 25 for Jessore Jail.

(*ii*) and (*b*) A list of existing books, numbering 46, is laid on the table.

(*c*) Funds are allotted to district jails for the purchase of books. Libraries in sub-jails and the supply of daily journals at Government cost to prisoners in division III are not considered necessary. Weekly newspapers are provided for divisions I and II prisoners.

Statement referred to in the answer to clauses (a) (ii) and (b) of starred question No. 20.

NAME OF BOOKS.

১। কৃত্তিবাসী রামায়ণ।
২। মহাভারত।
৩। শ্রীমদ্ভাগবদ্গীতা।
৪। ফতেমা জহরা।
৫। আল ইসলাম।
৬। দরবেশ জীবনী।
৭। স্বামী বিবেকানন্দ।
৮। হজরত মোহাম্মদের জীবন চরিত।
৯। তরতিব নামাজ শিক্ষা।
১০। তরতিব নামাজ শিক্ষা।
১১। Extracts of Koran.
১২। চিন্তা।
১৩। বালক শ্রীকৃষ্ণ।
১৪। একলব্য।
১৫। কোরআন ও হাদিছের আদেশ বাণী।
১৬। কোরআন ও হাদিছের আদেশ বাণী।
১৭। একলব্য।
১৮। বর্ণপরিচয়।

NAME OF BOOKS.

১৯। ঠাকুরমার গল্প।
২০। কোরআন ও হাদিছের আদেশ বাণী।
২১। কোরান শরীফ (১ম খণ্ড)।
২২। কোরান শরীফ (২য় খণ্ড)।
২৩। মহরম।
২৪। আলাদিন।
২৫। ময়নামতীর চর।
২৬। রঙ্গীলা নায়ের মাঝি।
২৭। হায়দর আলি।
২৮। আলিবাবা।
২৯। আলিবাবা।
৩০। তাই তাই।
৩১। তাই তাই।
৩২। পরীর দৃষ্টি।
৩৩। শিয়াল বন্ধু।
৩৪। সরল কৃষি কথা।
৩৫। কলার চাষ।
৩৬। তুলার চাষ।
৩৭। ইক্ষু চাষ।
৩৮। গুলজার।
৩৯। অনুরূপা দেবীর গ্রন্থাবলী (১ম খণ্ড)।
৪০। অনুরূপা দেবীর গ্রন্থাবলী (২য় খণ্ড)।
৪১। অনুরূপা দেবীর গ্রন্থাবলী (৩য় খণ্ড)।
৪২। অনুরূপা দেবীর গ্রন্থাবলী (৪র্থ খণ্ড)।
৪৩। অনুরূপা দেবীর গ্রন্থাবলী (৫ম খণ্ড)।
৪৪। দ্বিজেন্দ্রলাল রায়ের গ্রন্থাবলী (১ম খণ্ড)।
৪৫। দ্বিজেন্দ্রলাল রায়ের গ্রন্থাবলী (২য় খণ্ড)।
৪৬। কথামালা।

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what are the weekly newspapers supplied to prisoners?

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: The Hon'ble Minister replied that weekly newspapers are provided for Divisions I and II prisoners. May I know what are these particular newspapers?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware that there are only four to five books in the Jessore Jail and in the list we find quite an abnormal number in comparison with what we have actually seen during our visit to the Jessore Jail?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of it; I will not contradict the statement of an honourable member and I will enquire into it.

Mr. ATUL CHANDRA KUMAR: Will the Hon'ble Minister be pleased to state for how many years this annual grant of Rs. 25 is allotted?

The Hon'ble Khwaja Sir NAZIMUDDIN: I cannot give the exact number of years.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether Government has got any approved list of newspapers and other periodicals allowed to prisoners of Divisions I and II?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, Sir.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to consider the desirability of supplying at least one daily Bengali newspaper to the prisoners, so that they can be in touch with the outside public?

The Hon'ble Khwaja Sir NAZIMUDDIN: At present I am not prepared to do it, but I have published questionnaires on the reforms of the jail administration, which have been circulated to the members of the Legislative Assembly, and this matter will be considered in connection with that.

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state the approximate number of literary prisoners whose needs in the direction of literary knowledge are met by this number 46?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. NIHARENDU DUTTA MAZUMDAR: With regard to the answer that libraries and the supply of daily journals at Government cost to prisoners in Division III are not considered necessary, will the Hon'ble Minister be pleased to state whether any educated prisoners are placed in Division III?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is quite possible.

Mr. NIHARENDU DUTTA MAZUMDAR: Does the Hon'ble Minister consider the desirability of allowing Division III educated prisoners to read newspapers and books?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have nothing further to add to what I have already replied in connection with to-day's supplementary questions.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state on what basis does he say that supply of books and newspapers to Division III prisoners is not necessary?

The Hon'ble Khwaja Sir NAZIMUDDIN: Because, as a rule, Division III prisoners are illiterate.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, the Hon'ble Minister answered that it was quite possible that educated prisoners are placed in Division III. Will the Hon'ble Minister please state why he considers it not necessary for them to receive papers and books?

The Hon'ble Khwaja Sir NAZIMUDDIN: I said that, as a rule, Division III prisoners are illiterate.

Mr. NIHARENDU DUTTA MAZUMDAR: Is it a fact that as a matter of deliberate policy Division III prisoners are not allowed to read books in order to put a mental strain on them?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister please explain what are the reasons for excluding a number of prisoners from reading books, which are not harmful in any way?

Mr. SPEAKER: That question does not arise.

Mr. ATUL CHANDRA KUMAR: Will the Hon'ble Minister be pleased to state if he is sure that Rs. 25 per year is spent on purchasing books for prisoners?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what he means by the underlying principle in supplying books to prisoners?

Mr. SPEAKER: Government never said anything about the underlying principle.

Mr. SURENDRA NATH BISWAS: Sir, Government makes an allotment, and the jail authorities purchase books on the basis of that allotment. Will the Hon'ble Minister be pleased to state what is the underlying principle in supplying books to prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: Good and wholesome books are supplied to prisoners.

Mr. ATUL CHANDRA KUMAR: Is the Hon'ble Minister aware that booklets 34, 35, 36 and 37 cost only one pice each?

Mr. SPEAKER: That is an information which seems to be exclusively in your possession.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to explain the necessity of depriving a large number of prisoners in whatever class they may be from reading books which are not in any way harmful to anybody?

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to consider the desirability of emulating the example set by the Bihar Ministry in allowing books and other amenities to Division III prisoners?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to consider the desirability of allowing each and every one of the prisoners to read newspapers and books?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have nothing further to add to what I have already stated.

Appointment of retired officers of the Bengal Civil Service and Junio Civil Service.

***21. Mr. MD. ABUL FAZL:** (*a*) Will the Hon'ble Minister in charge of the Home (Appointment) Department be pleased to state whether a large number of retired officers of the Bengal Civil Service and Bengal Junior Civil Service have of late been reappointed for further service?

(*b*) What is their number in each rank?

(*c*) What are the reasons for their reappointment in preference to new recruits and what are the conditions on which they have been reappointed?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) Seven retired Deputy Collectors and three retired Sub-Deputy Collectors have been temporarily re-employed for service under Government.

(*c*) For reasons of economy no recruitment was made to the Bengal Civil Service (Executive) or Bengal Junior Civil Service for several years resulting in an acute shortage of officers in both cadres. Government decided that the situation could not be met by direct recruitment as recruits would take not less than 2 years to become efficient while the need for officers was urgent. Accordingly, experienced officers who had rendered meritorious service before retirement were selected for re-employment after consultation with the Public Service Commission. A copy of the Government order No. 524A.D., dated the 13th May, 1938, containing terms of employment of the re-employed officers is placed on the table.

Government order referred to in the answer to clause (c) of starred question No. 21.

No. 524A.D., dated Darjeeling, the 13th May, 1938.

From—W. H. Saumarez Smith, Esq., I.C.S., Under Secretary to the Government of Bengal, Home (Appointment) Department,

To—The Accountant-General, Bengal.

[Through the Finance Department.]

I am directed to convey the sanction of Government to the creation of ten posts of Deputy Magistrates and Deputy Collectors and ten posts of Sub-Deputy Collectors as a temporary addition to the cadres of the Bengal Civil Service (Executive) and the Bengal Junior Civil Service

respectively for a period of one year with effect from the date of appointment of each individual officer, who may be appointed to these posts. The officers appointed to these posts—

(*i*) will remain in the category of retired officers and continue to draw pension;

(*ii*) will draw, in addition to pension, personal pay equivalent to the difference between the pension and the salary they were drawing on the date of retirement, subject to the maximum of Rs. 850 a month in the case of officers of the Bengal Civil Service (Executive) and Rs. 400 a month in the case of officers of the Bengal Junior Civil Service;

(*iii*) will draw travelling allowance at transfer rates from present place of residence to place of first posting and back again on relinquishing their appointments. When on duty, away from headquarters, travelling allowance will be admissible according to ordinary rules. If an officer is outside the province at the time of this appointment, he will get travelling allowance at transfer rates from the first station within the province up to the place of posting; similarly when his period of re-employment is ended, he will get travelling allowance at transfer rates from his place of posting up to the last station within the province; and

(*iv*) will not be entitled to any leave except casual leave.

2. No increased pension or any other privilege will accrue to these officers for service during this period and their retention in service from month to month will be dependent on maintenance of good health.

Mr. SYED JALALUDDIN HASHEMY: With regard to the 7 retired Deputy Collectors and 3 retired Sub-Deputy Collectors, will the Hon'ble Minister be pleased to state whether these are cases of extension of service or new appointment?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not a question of extension of service. These officers have retired. They have been reappointed on a temporary basis for one year.

Mr. NISHITHA NATH KUNDU: With reference to answer (*c*) that Government decided that the situation could not be met by direct recruitment as recruits would take not less than two years to become efficient, are we to understand that henceforth Government will go on reappointing retired officers and will not make fresh appointments?

The Hon'ble Khwaja Sir NAZIMUDDIN: I had hoped that the hon'ble member could not have come to such a conclusion from the reply I had given.

Mr. SYED JALALUDDIN HASHEMY: With reference to answer (*c*), will the Hon'ble Minister be pleased to state whether this practice interferes with the Service Rule Manual of the Government of Bengal?

Mr. SPEAKER: That may be correct but does not arise here.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state whether Government propose to prescribe medical or any other kind of examination to test whether they are physically and mentally fit to be recruited?

Mr. SPEAKER: That question does not arise, but you have got your purpose served.

Maulvi ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that there is a great discontent amongst the existing staff on account of the recruitment of these retired officers?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir, I am not aware of it, and I do not find any reason why there should be any discontent because no one is adversely affected by it.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether this circular No. 524 A.D. of the 13th May, 1938, interferes with the Government Service Manual or not? That was my original question, Sir, and it has not been answered yet.

The Hon'ble Khwaja Sir NAZIMUDDIN: The answer is in the negative.

Mr. ATUL CHANDRA KUMAR: Will the Hon'ble Minister be pleased to state why when it was known that it would take not less than two years to become efficient Government did not recruit the officers two years before in view of the fact that the appointment of retired officers entails more cost?

Mr. SPEAKER: That has been explained in the first part of the answer.

Dog racing at Behala.

*22. **Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—

(*a*) whether he is aware that greyhound racing and betting in connection therewith has been going on at Behala in the suburbs of Calcutta for some time past;

(*b*) whether there exists a feeling of resentment amongst a section of the people regarding the issue of licences for the same;

(*c*) the authority which granted these licences and the circumstances under which they were given; and

(*d*) whether Government is considering the desirability of putting a stop to this racing in the interest of public morals or for prevention of cruelty to animals, or for other reasons?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) to (*d*) I am aware that some people are opposed to dog racing. No objection was raised to the staging of an exhibition of greyhound racing as such an exhibition is not illegal. When it came to the notice of Government that there was betting at the stadium, the promoters were given time to wind up the business and they did so with effect from the 10th January, 1938.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that greyhound racing is still continuing at Behala from the 3rd week of May at the place contrary to the answer given to my question?

Mr. SPEAKER: Dr. Sanyal, do not make confusion: greyhound racing is one thing and betting is another.

Dr. NALINAKSHA SANYAL: My question was about both greyhound racing and betting.

Is the Hon'ble Minister aware that contrary to his reply greyhound racing and betting are still going on there?

Mr. SPEAKER: Do not make confusion: please keep the two things separate.

Dr. NALINAKSHA SANYAL: Sir, while Government say in their answer that it has stopped, it is still going on

Mr. SPEAKER: Where do they say that it has stopped?

Dr. NALINAKSHA SANYAL: In the last part of the reply, Sir.

The Hon'ble Khwaja Sir NAZIMUDDIN: As I understood the question it refers to the greyhound racing which was started at Behala sometime in December and the reply is that it was stopped, on the 10th January, 1938. As far as Dr. Sanyal's supplementary question is concerned, I am aware that greyhound racing is being held at Behala at the present time.

Dr. NALINAKSHA SANYAL: In view of this reply will the Hon'ble Minister be pleased to answer question (*c*), viz. "the authority which granted these licences and the circumstances under which they were given"?

The Hon'ble Khwaja Sir NAZIMUDDIN: No licence has been granted. I suggest, Sir, that these questions could be better answered if the honourable member would only wait for some time as there is another question on the subject and he can get further details at that time as that question deals specifically with the renewal of dog racing at Behala.

Mr. SPEAKER: You may wait, Dr Sanyal, till then.

Dr. NALINAKSHA SANYAL: It is quite possible, Sir, that we may not reach that question even before next week when the no-confidence motion comes up. Therefore, I am not prepared to wait.

Will the Hon'ble Minister be pleased to state if he is aware that the Hon'ble the Chief Minister heads the list of patrons in this dog racing.

Mr. SPEAKER: That does not arise.

Dr. NALINAKSHA SANYAL: I submit, Sir, that it does arise.

Mr. SPEAKER: I think, Dr. Sanyal, I should explain to you that a supplementary question can only arise if it has some connection with either the question or the answer. You are supplying an entirely new fact. Will you kindly say what connection your question has with the original question or answer? I am prepared to allow you full liberty provided it has got some connection with the question or the answer. But as it is, it is entirely a new thing.

The Hon'ble Khwaja Sir NAZIMUDDIN: Before Dr. Sanyal asks further supplementary questions, may I draw his attention to question 32 (starred) in to-day's list where it deals with dog racing. Dr. Sanyal need have no fear that it will not reach before the next week when the no-confidence motion will be discussed.

Dr. NALINAKSHA SANYAL: Is that your ruling, Sir, that I should wait?

Mr. SPEAKER: If it does not come to-morrow it will come on Friday next, so it is better to wait till Friday.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I have no objection to answer question 32 even now. May I have your permission to answer question 32 now?

Mr. SPEAKER: If you are prepared to answer it I have no objection.

Dog racing at Behala.

***32. Al-Haj Maulana Dr. SANULLAH:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether it is a fact that the dog racing at Behala after being opened was stopped by the Police?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state for what special consideration and on what grounds the Government revised their former opinion about and attitude towards this dog racing introduced for the first time in Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) The racing was suspended as it contravened the Bengal Public Gambling Act.

(*b*) Previously dog racing had been suspended as it was found that betting was going on within the enclosure and, in view of the fact that the Bengal Public Gambling Act of 1867 was in force, such betting was illegal. In order to assist the anti-tuberculosis appeal with funds Government decided to withdraw the Bengal Public Gambling Act from the Behala stadium and to allow dog racing there on condition that a substantial donation is given on every race day to the Anti-Tuberculosis Fund.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Gambling Act was withdrawn with a view to legalise betting in that area?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is a question of interpretation and not for information.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Bengal Places of Public Amusements Act, 1933, has been extended to the whole of Bengal including that area and under section 5 (2) of that Act licence has to be obtained for such amusement in the place?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am aware of the fact that the Act has been extended to the whole of Bengal.

Dr. NALINAKSHA SANYAL: In view of the reply given that this racing exhibition is going on without any licence, will the Hon'ble Minister be pleased to state if Government contemplate the desirability of applying section 8 (*1*) of the Bengal Places of Public Amusements Act by virtue of which Government have power to close any place of public amusements run without a licence?

Mr. SPEAKER: How does it arise in this connection?

Dr. NALINAKSHA SANYAL: It arises out of the reply given by the Hon'ble Minister to question No. 22.

Mr. SPEAKER: The question of licence is not in this question.

Dr. NALINAKSHA SANYAL: Question No. 22 is not yet passed over.

Mr. SPEAKER: But you cannot bring things from question No. 22 into this question. You are making a confusion between question No. 22 and question No. 32. These two questions are being taken up together for convenience. But you cannot suggest that the dog racing in connection with question No. 22 is the same dog racing as in question No. 32. They are two separate questions. The question of licence is not in issue in question No. 32 and we are now dealing with that question.

Dr. NALINAKSHA SANYAL: May we enquire, Sir, if the Hon'ble Minister will be pleased to state whether licence has been issued for this amusement under any Act of the Legislature?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as I am aware, no licence has been issued.

Dr. NALINAKSHA SANYAL: In view of this reply, will the Hon'ble Minister be pleased to consider the desirability of applying section 8 (*1*) of the Bengal Places of Public Amusements Act and stop the continuance of this racing in view of the fact that no licence has been issued?

The Hon'ble Khwaja Sir NAZIMUDDIN: This is first of all a request for action. May I have your ruling if I am to answer this question?

Mr. SPEAKER: The position is that you have answered a supplementary question which you might not have answered. But now that the answer has been given, Dr. Sanyal points out that under certain

section of the Act licence is necessary and since in this case that licence has not been taken, he asks, whether Government would consider the desirability of enforcing that section in order to stop the racing. Having answered the previous question I do not think you can avoid answering this question.

The Hon'ble Khwaja Sir NAZIMUDDIN: This is a matter which Government have not considered. But they will take it into their consideration.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if it is not a fact that the Anti-Tuberculosis Fund has benefited by this racing to the extent of Rs. 20,000?

The Hon'ble Khwaja Sir NAZIMUDDIN: Something like that amount has been contributed to the fund so far.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state the reason why having opposed the Sweepstakes Bill for the benefit of the hospitals, Government withdrew the Public Gambling Act in this case?

The Hon'ble Khwaja Sir NAZIMUDDIN: If the honourable member remembered what I had said on that occasion, he would have realised that there is a vast difference between sweepstakes and dog racing: one is localised in a small area and affects a very limited number of people and the other is spread over the whole of Bengal whose effect would be felt in every nook and corner and every village of Bengal.

Mr. ABDUR RAHMAN SIDDIQI: Is the Hon'ble Minister aware that the Government of Bombay have permitted a lottery to be held against all the gambling laws of the province in aid of the Anti-Tuberculosis Fund?

Mr. SPEAKER: That question does not arise.

Mr. SANTOSH KUMAR BASU: Is the Hon'ble Minister aware that a request was made by the promoters of the dog-racing at Behala to the Association for the Prevention of Cruelty to Animals to lend the services of their Secretary Mrs. Stanley to become a member of their Committee and that their request was considered at a meeting of the Association under the Presidentship of Mr. Justice Costello and that the request was refused on the ground that it was an illegal body?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: With reference to question No. 32, will the Hon'ble Minister be pleased to state if it is a fact that the present dog racing at Behala is being carried on with the Hon'ble the Chief Minister heading the list of patrons?

Mr. SPEAKER: That question does not arise.

Al-Haj Maulana Dr. SANAULLAH: Will the Hon'ble the Chief Minister please state whether he opened the dog racing at Behala?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble the Home Minister please state if he is aware that under section 414 (A) of the Bengal Municipal Act the Commissioners of the Behala Municipality have the power to issue licences for such a fair or any place of amusements? If so, whether such a licence has been issued?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state if he is aware that the Commissioners of the Municipality issued a trading licence on the condition that no betting in these places will be permitted?

Mr. SPEAKER: I think that, so far as the first part of your question, namely, about the licence is concerned, I do not deny that so far as the law is concerned, it is there, but that question is not a part of any supplementary question that can arise out of this question. That being so, what the Commissioners did can still less be a part of your supplementary

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble the Home Minister please state whether the Chief Minister has a dog called "Wakeful", that takes part in the dog racing at Behala?

Mr. SPEAKER: Order, order. I think I have already said that it has no connection with the Behala dog racing. It is not relevant to it. I do not think it is fair that you should repeat this question after it has been disallowed twice or thrice.

Mr. SYED JALALUDDIN HASHEMY: In view of the answer given by the Hon'ble the Home Minister that a sum of Rs. 20,000 has already been contributed to the Anti-Tuberculosis Fund, will the Hon'ble the Home Minister please give me some idea as regards the fund that has been collected by the promoters of greyhound racing at Behala?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have never said that Rs. 50,000 was contributed to the Tuberculosis Fund from the proceeds of the dog racing.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether the poorer section of the people are at all benefited by the dog racing?

The Hon'ble Khwaja Sir NAZIMUDDIN: So far as I am aware, they do not go to dog racing.

Dr. NALINAKSHA SANYAL: Is the Home Minister aware that one rupee totes are allowed there and that a large number of poor people attend the dog racing?

The Hon'ble Mr. A. K. FAZLUL HUQ: Well, you go there everyday, I have seen you there

Dr. NALINAKSHA SANYAL: Well, Sir, if I were given a dog I would go there everyday.

Mr. SPEAKER: Now that Dr Sanyal himself asks for a dog it is up to him not to put any more question on this matter! (Laughter)

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that this dog racing is being conducted by a private individual for profit virtually without any control and he takes 15 per cent of the total totes, whereas in British and other countries the maximum amount that is taken is 6¼ per cent only?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of this fact.

Secondary Education—controlling and reorganising.

*23. **Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge of the Education Department be pleased to state when a Bill for controlling and reorganising secondary education in Bengal is likely to be introduced?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): It is proposed to bring forward the Bill during this Monsoon session of the Assembly

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble the Chief Minister be pleased to state whether he considers the desirability of publishing the Bill and allowing the public sufficient time to consider it and also to express its opinion on it before he introduces the Bill in the Legislature?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is a matter of procedure. I may tell the House that it is my present decision to let the public know about the contents of this Bill and to give them every opportunity of being acquainted with its provisions.

Rai HARENDRA NATH CHAUDHURI: Before introducing the Bill in the Legislature?

The Hon'ble Mr. A. K. FAZLUL HUQ: That I have not decided. It may be introduced in the Legislature or it may be circulated for public opinion or it may be published in the Gazette. I have not yet decided that, but I can assure the House that the public will have an opportunity of fully considering the Bill.

Maulvi ABDUL BARI: Will the Hon'ble the Chief Minister please state if the proposed Bill has at all been drafted?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, it is in draft—ready.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble the Chief Minister please state what was the result of the Conference that was held on this matter?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL BARI: Will the Hon'ble the Chief Minister please let the House know as to how long the Monsoon session is likely to continue?

Mr. SPEAKER: That question, too, does not arise.

Inclusion of Faridpur in the prohibition scheme.

***24. Al-Hadj GYASUDDIN AHMED CHOUDHURY:** (*a*) Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state whether any district has been included this year in the prohibition scheme?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the district of Faridpur is one which has been included this year; or

(*ii*) whether it is in contemplation to include the said district into the scheme in the near future?

The Hon'ble Mr. PRASANNA DEB RAIKUT: (*a*) Yes: it has been introduced in the district of Noakhali.

(*b*) (*i*) No.

(*ii*) The future programme of Government will depend on the result of the experiment in prohibition in Noakhali.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister please tell us how long does he propose to wait for the result of the experiment that has been started at Noakhali?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Well, we will wait till we get the result: I cannot say exactly how long I shall have to wait for this.

Rai HARENDRA NATH CHAUDHURI: Sir, this is no reply to my question. My question was a categorical one, namely, how long it is proposed to wait for the results of the experiment.

Mr. SPEAKER: Perhaps the Hon'ble Minister has not heard the latter part of the question.

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is very difficult to say.

Mr. SYED JALALUDDIN HASHEMY: In view of the assurance given by the Government during the budget session that total prohibition will be effected within 5 years, may I have a definite date as to when this experiment will be extended to my district, particularly to the districts of Khulna and Jessore?

Mr. SPEAKER: The first part of your question is all right, but I don't think your second part arises in view of the fact that this question deals with the inclusion of Faridpur only.

Mr. SYED JALALUDDIN HASHEMY: All right, Sir, then let me have an answer to the first part of my question.

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is difficult to say how long it will take to introduce total prohibition.

Mr. PROMATHA RANJAN THAKUR: With reference to answer (*b*)(*ii*)—that the future programme of Government will depend on the result of the experiment in prohibition in Noakhali—will the Hon'ble Minister be pleased to state what sort of result is expected by Government in this connection?

Mr. SPEAKER: Well, that is not a supplementary question, and it cannot be answered.

Rai HARENDRA NATH CHAUDHURI: I think, Sir, this question does arise, namely, what sort of result is expected, etc.

Mr. SPEAKER: Well, I do not think that there can be any supplementary question on this.

Rai HARENDRA NATH CHAUDHURI: I submit, Sir, this directly arises out of part (*a*) of answer (*b*).

Mr. DEBI PROSAD KHAITAN: Will the Hon'ble Minister please state in view of Government's declared policy of prohibition, whether any steps are being taken to prevent the number of liquor shops being increased?

Mr. SPEAKER: Mr. Khaitan, I had thought that you at least would not put this question. If you had seen the headlines, you would have found that this question deals only with the inclusion of Faridpur in the prohibition scheme.

Mr. DEBI PROSAD KHAITAN: I put that question because it has come to my personal knowledge that in spite of the protests of a large number of people of the locality fresh licenses are being issued in order to start new liquor shops.

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Very well, Sir, I belong to Faridpur and I may ask this question what sort of result is in the contemplation of Government so that they can extend the experiment to other districts?

The Hon'ble Mr. PRASANNA DEB RAIKUT: The question is strange and cannot be answered.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what sort of result is in the contemplation of the Government upon which they want to extend the operation to other districts?

The Hon'ble Mr. PRASANNA DEB RAIKUT: The experiment now being made at Noakhali, is still in an experimental stage. I am certain the introduction of the scheme of prohibition to other districts will depend on the results arrived at at Noakhali.

Mr. SURENDRA NATH BISWAS: We are anxious to know what kind of results Government expect to justify their proceeding to other districts.

Mr. SPEAKER: The sort of result expected cannot be a supplementary question.

Mr. SURENDRA NATH BISWAS: What is the policy underlying that scheme by which the Hon'ble Minister will be guided in the matter of extending the operation of the scheme to other districts?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It depends on the results—on the success of the policy.

Mr. SURENDRA NATH BISWAS: What does the Hon'ble Minister want us to understand by the word "success"?

Mr. SPEAKER: That question does not arise.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to give us some idea as to the estimate of speed as regards the time when he would be able to give effect to the assurance given by Government at the last budget session that when the scheme will materialise it will be extended to other districts of Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: Is that question in order, Sir?

Mr. SPEAKER: I think, Mr. Hashemy, you want to know whether Government can give an estimate of the speed.

Mr. SYED JALALUDDIN HASHEMY: I mean by "speed" the time when the scheme will materialise.

Mr. SPEAKER: I think, it will be difficult for the Hon'ble Minister to give you the exact time when it will be given effect to.

The question time is now over.

A point of Privilege regarding supply of Question Papers.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of privilege, Sir. In one of the previous sessions I brought to your notice that it would be very convenient if it were possible to circulate the printed question papers on the previous day. Have you given your consideration to that proposal?

Mr. SPEAKER: I am putting up this matter before the Committee of Privileges.

Adjournment Motion.

Kazi EMDADUL HAQUE: I have given notice of an adjournment motion. May I have your permission to move it?

Mr. SPEAKER: I do not think I need take much time of the House in disposing of this adjournment motion. Although I have given my consent beforehand, this adjournment motion is not in order on the same reason that I have disallowed another motion of an exactly similar nature, and also on the ground that the question of floods is coming up before the House for full discussion in connection with a supplementary demand. While discussion relating to almost every area that has been flooded should be possible in that connection, I think it will be merely wasting the time of the House if every such area is brought forward and discussed in the shape of an adjournment motion. If, however, in spite of the supplementary demand for grant brought forward by Government, the action taken is considered unsatisfactory, it is open to members to give notice of adjournment motions at that stage. In that view, I think it is premature for the time being to allow this adjournment motion, and I therefore disallow it for the present.

Dr. NALINAKSHA SANYAL: May I take it that we shall have a full discussion of the subject in connection with the supplementary demand, and that there will be no guillotine?

Mr. SPEAKER: No, certainly not. The guillotine will be there.

Mr. CHARU CHANDRA ROY: May I have your consent to move the adjournment motion of which I have already given notice?

Mr. SPEAKER: I am afraid, this adjournment motion was given notice of on the first day of this session, and you had my consent to bring it forward yesterday.

Mr. CHARU CHANDRA ROY: As the House was adjourned yesterday within half an hour of its sitting and as there were other more important motions, I could not draw your attention to it.

Mr. SPEAKER: I am afraid you should have drawn my attention to it immediately after the question time. In any case you must take into consideration the reason why I have just disallowed Kazi Emdadul Haque's adjournment motion. I have fully explained in that connection that if, as a result of the debate on the question of floods, the members are not satisfied, they may bring forward adjournment motions and I shall consider them at that time.

It is now time to adjourn the House and I may inform you that immediately after the adjournment we will take up the Governor's message about the Bengal Tenancy (Amendment) Bill, 1938.

At this stage the House was adjourned for 15 minutes.

(*After adjournment.*)

GOVERNMENT BILLS.

Bengal Tenancy Amendment Bill and His Excellency's Message.

Mr. SPEAKER: The first item is the discussion on the principle contained in His Excellency's message regarding the Bengal Tenancy (Amendment) Bill, 1938, as passed by both Chambers of the Bengal Legislature. (Pause.)

It seems that the House is not prepared to discuss the general principle. So I ask the Hon'ble Sir Bijoy Prasad Singh Roy to move his motions.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to move that the recommendation of the Governor contained in his message be considered in detail.

The question that the recommendation of the Governor contained in his message be considered in detail was then put and agreed to.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to move—

"(*i*) that sub-clause (2) of clause 1 of the Bill be omitted; and

(*ii*) that in clause 21 of the Bill the words, figures and brackets '(including section 52)' wherever they occur, be omitted".

The motions moved by the Hon'ble Sir Bijoy Prasad Singh Roy that "(*i*) that sub-clause (2) of clause 1 of the Bill be omitted" and "(*ii*) that in clause 21 of the Bill the words, figures and brackets '(including section 52)' wherever they occur, be omitted", were there put and agreed to.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to move that the Bill as recommended by His Excellency be passed.

The question that the Bill as recommended by His Excellency be passed, moved by the Hon'ble Sir Bijoy Prasad Singh Roy, was then put and agreed to.

The Bengal Co-operative Societies Bill, 1938.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I beg to introduce a Bill to amend the Law relating to Co-operative Societies in Bengal.

The Secretary read the short title of the Bill.

I beg also to move that the said Bill be referred to a Select Committee consisting of—

(1) Mr. Satyapriya Banerji,
(2) Mr. Surendra Mohan Moitra,
(3) Mr. Abdul Bari,
(4) Khan Bahadur A. F. M. Abdur Rahman,
(5) Maulvi Abdul Latif Biswas,
(6) Maulvi Azhar Ali,
(7) Maulvi Md. Hasanuzzaman,
(8) Mr. Fazlur Rahman (Dacca University),
(9) Khan Sahib Maulvi Syed Muhammed Afzal,
(10) Mr. W. C. Wordsworth,
(11) Mr. L. M. Crosfield,
(12) Mr. Anukul Chandra Das,
(13) Babu Kshetra Nath Singha,
(14) Rai Jogesh Chandra Sen Bahadur,
(15) Mr. M. Shamsuddin Ahmed,
(16) Mr. Syed Abdul Majid, and
(17) the mover,

with instruction to submit their report as early as possible, the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, in placing this motion before the House I do not think it is necessary for me to take too long of your time or that of the House at this stage. I would only desire to give a few salient features connected with this measure. To start with, it you refer to the preamble of this Bill, you will be good enough to find that the scope of the Bill has been very much widened. It is well-known to you, Sir, and to the House that so far as the co-operative movement in this Province is concerned, it is based first of all, upon the Government of India Act, 1904, and then, upon the Act of 1912 passed by the Central Legislature. The preamble of that Act lays down that it was with the object of teaching thrift and economy to the labouring classes and the agriculturists that the Act was enacted. If you be good enough to refer to the preamble of the present Bill, you will find that it is with the idea of promoting thrift, self-help, and mutual aid among the persons, with needs and interests in common to the end; that better conditions of living and better methods of production and business may thereby result, that this Bill is being introduced. It is apparent, Sir, that this Bill is not going to be confined to the labouring classes and the agriculturists mainly. It will attract those who will be actuated by common interest to take advantage of this measure.

In the next place, Sir, you will find that the Bill is very comprehensive in character; it is not an amendment as we generally understand it by that term, but it is intended to cover the whole ground regarding the principles of co-operation as can be applied to our lives for these purposes. It is designed by this Act to take into account the various aspects of the co-operative movement and while it is intended that wilful misdemeanour be checked, it is intended at the same time that all impetus should be given to these institutions for the purpose of encouraging their progress and development as also to take powers by which the State might come forward with direct financial assistance as also to stand guarantee not only for the interest but also for the principal of the debentures that the co-operative financial banks in the Province might be permitted to float. Its various purposes as also the provisions of the Bill have been clearly indicated in the Statement of Objects and Reasons which I have appended to the Bill and I have also thought it fit to add a few notes on some of the clauses which I think would call for some explanation, so that there may not be any misgiving or misapprehension about their scope and applicability.

Sir, if you refer to the provisions of the Bill, you will find that it is based not upon mere theories but upon experience gained not only by the officers of the department, but by a large number of those non-official workers who have either been connected with or have taken an interest in one or the other of the co-operative institutions of the Province. As for myself, I can submit with all humility, but without

any hesitation, that when I was called upon to administer this department of Government over a year ago, I felt the necessity myself that a comprehensive Bill of this nature was immediately called for. I can also add this: that from the experience that I have gained having been in close touch with the administration of this subject for about 16 months now, I feel that for a proper and sound working of the co-operative institutions in this Province, a comprehensive measure of this type is essentially called for. In point of fact, Sir, I mentioned this to this House at the time when I presented my demand under this head of the Budget on the 2nd of September last year. I had occasion to mention this again when I presented my budget under this head in March last and on those occasions I mentioned that of the subjects that I thought I would take immediately, for putting this movement on a sound basis, the amendment of this Act was one. Sir, in the course of my tour in the interior of the Province, I made it a point to meet those that are in touch with this movement as Directors, depositors, or shareholders of central co-operative banks as also the representatives of the village societies to sit round the table for a discussion with regard to its subject in order to be sure as to whether they felt equally with me that a measure of this type was at all necessary. I was indeed gratified to feel that they agreed with me in thinking that a measure of this type was essentially called for.

Sir, when these proposals were ready and the Bill was in the drafting stage, I thought it fit to invite a conference of all the members of both the Houses of the Legislature who are connected with the co-operative movement along with those who are not members but who have taken an interest in this movement in the interior, and I was extremely gratified to find that there was a large attendance in response to my invitation. I placed before the conference our proposals and we had a discussion over them for two days in February last. The conference suggested some modifications. We examined all those suggestions later on. I am glad now to be able to say that we have been able to accept most of the suggestions that were made at that conference.

Dr. NALINAKSHA SANYAL: What are those? My information is that you did not accept any.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am sorry Dr. Sanyal's information is not correct.

Dr. NALINAKSHA SANYAL: I have got two Bills to show what the changes are and what was before. There is no change at all. What is the use of misleading this House?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, I refuse to be interrupted at this stage.

I may also mention in this connection that I had the honour of opening two divisional co-operative conferences, one at Comilla of the Chittagong Division on the 10th April last, and the other at Jamalpore of the Dacca Division on the 2nd of July last. I thought it fit to place some of these proposals before my audience on those two occasions and I was extremely gratified to find that those conferences consisting mostly of non-official workers in touch with the co-operative movement in the interior agreed with me that not only a measure of this type was necessary but that the detailed proposals that we made were immediately called for——

Dr. NALINAKSHA SANYAL: The detailed proposals were not placed before them.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: . . . if we are to put the movement on a sound basis. I had also occasion to open the last annual conference of the Bengal Provincial Co-operative Bank a few weeks ago which was attended by the representatives of the various co-operative central banks of the Province. I placed before them this idea of mine along with some of the proposals. I was indeed glad to feel that they also agreed with me in this matter.

Dr. NALINAKSHA SANYAL: How did you feel that? No resolutions were passed

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: The draft Bill was considered by Government, and the measure having been approved of this Bill was published in the local official Gazette on the 7th July last for public information.

Sir, with this preliminary idea about this measure, I now propose to place before the House a resumé of some of the important provisions of this Bill. The Bill has been divided into 15 different chapters consisting of 134 clauses and to these, four schedules are also attached. The provisions may be broadly classified under three different heads. In the first place there are provisions made for the purpose of encouraging the progress and development of co-operative societies as the self-governing institutions. In the second place, there are provisions for rectification of existing defects in the working of the societies, and in the third place, there are provisions for safeguarding laxity and abuses in the administration of the societies. And there is a whole chapter, namely, Chapter XI allotted to the establishment and nursing of the co-operative land mortgage banks in the Province. Sir, I do not feel justified at this stage to go into details, but I think I should just mention some of these facts that come under the different heads that I have just mentioned. Under the first head you will be pleased to find on a reference to the Bill that the powers of the Registrar are designed to

be given to well-managed co-operative societies under clause 10 (*b*). The same provision, I may mention for the information of the House, exists in the Bihar and Orissa Act.

By clause 37 power is sought to be taken by the local Government to guarantee principal and interest on debentures floated by the co-operative societies.

Under clause 38 local Government desire to take power by which they may be able to give financial assistance to any co-operative societies by grant of loans, taking shares or in any other form.

I may tell the House, Sir, that these provisions are a distinct improvement on the provisions made in any other province in India, for in some of the provinces power has been taken to guarantee interest on the debentures to be floated, but not on the principal excepting of course, so far as the land mortgage banks are concerned.

By clause 51 power is sought to be given to the Registrar to effect a compromise between a society and its creditors and it is hoped that these provisions will be extremely helpful in stabilising the position of the Central Financing Banks.

By clause 56 a provident fund is intended to be created by a co-operative society for its members and contribution of a portion of the net profits of the society is to given towards the fund.

Again powers will be given to the society by which they may contribute some portion of their net profit to charitable purposes and it will certainly help the village education, rural sanitation and communication.

Power again is sought to be taken in the next place for the head of the department to revive a society after partial liquidation under clause 89. This will go a very great way to save a good many members of the liquidated society from being victims of coercive measures necessary to wind up a society by enforcing unlimited liability.

These, Sir, are, I submit, a few of the provisions which I feel I should place before the House under the first of the three heads that I have just mentioned.

Under the second head by which provisions have been made in this Bill, for the rectification of existing defects, I would desire to mention only a few of them for the information of the House.

There is power under clause 18 designed to be given to the Registrar to direct amendment of the bye-laws of the society. If you will be good enough to refer to the note on the clauses that I have appended to this Bill, you will find the utility of this clause.

Clause 25 reserves powers for the dissolution of the Committee of Management. A power of this nature exists in the other provinces as well. In some of the other provinces this power has been taken by rules framed under the Act.

Dr. NALINAKSHA SANYAL: Reactionary, old Government!

Mr. SPEAKER: Dr. Sanyal, the law of Limitation is available in the Library.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It will be agreed on all hands that a provision of this nature is essential to ensure uniformity as also to avoid liquidation of a society.

By clause 54 which deals with distribution of profits provision is made under sub-clause (3) for distribution of profits in the shape of bonus and dividend and this is to be restricted to profits actually realised. It is hoped that this will stop dissipation of capital and automatically safeguard the interest of the creditors.

In the next place, by clause 123 power is sought to be given to the head of the department by which he will be able to enforce performance of the obligation by a society. It is essentially necessary for ensuring business-like management of societies as also to protect the interests of the debtors and the creditors.

Under the third head which deals with safeguarding laxity and abuses in the administration of the societies, I need only mention a few of the provisions for the information of the House. The common form of laxity which we have been able to trace so far does occur in one or other of these forms, namely—

(1) Indiscriminate distribution of loans resulting in under-financing or over-financing to individual members.

(2) Appropriation of large loans to office-bearers of societies.

(3) Misuse of loans

(4) Unwillingness of the office-bearers to take stringent action against recalcitrant or habitually defaulting members.

(5) Absence of effective restriction on borrowing and lending by society

(6) General indifference of the Committee of Management to follow departmental instructions.

With regard to these, in the first place, by clauses 24 and 39 the Managing Committee is sought to be made liable for illegal loans and restrictions on lending.

Clause 46 mentions that the period of limitation of loan may be extended during the continuance of the membership.

Clause 59 makes it obligatory upon members to furnish information as to their financial position and alienation of their immovable properties.

Clause 60 makes it obligatory upon the members to use their loans for the purposes for which they are taken.

Clause 76 relates to rectification of defects detected in audit, for it is clear that the audit is useless unless rectification can be enforced.

Clause 119 empowers conditional attachment of property before judgment.

Clause 124 read with the second Schedule makes it possible for recovery of sums due from a member of a society as an award realised as public demand and the same provision exists in all other Provincial Acts.

Clause 120 seeks power for making payment of dues in case of wilful and persistent defaults without the help of the Public Demands Recovery Act.

Clause 121 provides for recovery of funds and properties misappropriated and applied for illegal purposes or for culpable mismanagement involving loss to the society as charge and surcharge.

It will appear in the next instance that clause 128 read with Schedule III gives an aggrieved party the right of appeal against order made by different authorities. In some cases an appeal lies to the District Judge as well, *i.e.*, with regard to an order passed under clause 121 dealing with charges and surcharges.

Dr. NALINAKSHA SANYAL: May not the speech of the Hon'ble Minister be taken as read, because it is a written speech and it will take a long time to read it? (Laughter.)

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: These, Sir, are some of the provisions of the Bill that I have presented to the House.

I am a bit surprised at the number of motions tabled by my honourable friends seeking for circulation of this Bill for the purpose of eliciting public opinion. I do not know the points of view that will be pressed by the honourable members, and I must wait till the motions are moved. But as I have said we have spent a good deal of time over this matter and we have also consulted some of those who can be said to express an opinion authoritatively relating to this Bill. Having taken all these together, we have drafted this Bill and presented it before the Assembly for its consideration. But while maintaining that position, I do not say that the Bill is all-perfect. I feel that it is yet necessary that we should sit round a table and have a thorough discussion with regard to various provisions in this Bill with the object that some of the defects that may still be there may be removed for the purpose of making these provisions still better. With this object in

view, I have moved that this Bill be referred to a Select Committee consisting of the honourable members whose names I have mentioned.

As to the personnel, I might give a word of explanation. While having the highest regard for each and every member of this Legislature, I thought that I might take those honourable members in this committee who have been connected or are connected with the co-operative institutions in the interior of the Province and who would be able to give us real help and advice in this matter. It is from this point of view that I have tried to make this committee as business-like as possible. I do not think I should worry the House any longer and take up its time any more. With these words, I commend my motion to the acceptance of the House.

Mr. SPEAKER: As regards amendments, I think I would follow the principle which I followed in the previous session: that is, that I would ask the members to move their amendments first and then to have a general discussion for the sake of convenience. So, those gentlemen who wish to move their amendments will kindly formally move them.

Mr. NIHARENDU DUTTA MAZUMDAR: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1939.

Babu NAGENDRA NATH SEN: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1938.

Babu NARENDRA NATH DAS GUPTA: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1938.

Mr. SIBNATH BANERJEE: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinon thereon by the 1st November, 1938.

Rai HARENDRA NATH CHAUDHURI: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th September, 1938.

Mr. RASIK LAL BISWAS: I beg to move——

Mr. SPEAKER: Mr. Biswas, you cannot move your amendment as consent has not been received.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. May I know if it is your desire that when the House is sitting if any member wants any amendment to be made on a motion it will require the consent of those members before the motion is taken up?

Mr. SPEAKER: I do not follow what you say Dr. Sanyal.

Dr. NALINAKSHA SANYAL: The position is this: here is an original motion where a number of names have been proposed for a Select Committee. Now, there is an amendment that a certain number of names be added or taken off. With regard to the amendment it is the business of the House sitting in the meeting to make any alterations or amendments. If you decide that previous to that decision consent should be taken, it would be rather awkward, as it may be felt that some members are anxious to be included into the committee and some others are not.

Mr. SPEAKER: The present House is sitting for about 16 months and we have so long been following the procedure that so far as the personnel of the Select Committee is concerned, whether it is addition by way of amendment or amendment by way of a substantive motion, consent is necessary: otherwise the House may pass a motion for a committee by way of amendment in which a man may not serve.

Mr. RASIKLAL BISWAS: আমাদের এর আগে অনেকগুলি মোসন্ দেওয়া আছে—সেগুলি শেষ হবার যথেষ্ট বিলম্ব হইবে। এ ক্ষেত্রে আমরা কি কোরে মনে কোরতে পারি যে আমার amendment আজ উঠিবে। আগেকার amendmentগুলি শেষ হোতে হয়তো দুদিন দেরী হবে—এবং আমি মনে কোরেছিলাম তার আগেই আমি সেটা দিতে পারবো।

Mr. SPEAKER: In case I find Mr. Biswas and his group want to carry the discussion on the circulation for public opinion I will certainly revive this matter to-morrow at 4 p.m., but otherwise not.

Mr. SIBNATH BANERJEE: On a point of order, Sir. If the motion for circulation is carried, there will be no necessity of moving the other amendment.

Mr. SPEAKER: Yes, it will fall through.

Mr. DHIRENDRA NATH DATTA: আমি প্রস্তাব কোরছি যে মিঃ সৈয়দ আবদুল মজিদের নামের পরে মৌলবী সাহেদ আলির নাম অন্তর্ভুক্ত করা হোক I move that after the name of Mr. Syed Abdul Majid the following name be inserted, namely:—

Maulvi Shahed Ali.

Mr. SIBNATH BANERJEE: I beg to move that after the name of Mr. Syed Abdul Majid the following names be inserted, namely:—

(1) Mr. Surendra Nath Biswas,
(2) Dr. Nalinaksha Sanyal, and
(3) Mr. Sibnath Banerjee.

Mr. SPEAKER: I am allowing this as a special case. In this case, consent has been taken just now but I hope that so far as consent is concerned, it should reach my office before 3 p.m. on the day on which it is moved.

Mr. DHIRENDRA NATH DATTA: (was going to speak in Bengali:)

Mr. SPEAKER: I am afraid, Mr. Datta, you will have to move in English. I shall consider the question of your speaking in Bengali when you will make your speech.

Mr. DHIRENDRA NATH DATTA: I beg to move that for the words "as early as possible" in the third line from the end, the figures and words "by the 31st August, 1938" be substituted.

Mr. SPEAKER: All these motions are now open to discussion.

Mr. NIHARENDRA DUTTA MAZUMDAR: Mr. Speaker, Sir, I propose this amendment for circulating the Bill for the purpose of eliciting public opinion because a Co-operative Enactment Bill must have much bigger purpose, a bigger perspective and a wider vision for the purposes which it is meant to subserve. Here is a Bill which as its perspective only this that the penal sections in this Bill will stimulate business methods in the minds of co-operators, which shows that the whole object of the momentous movement like the co-operative movement has been completely lost sight of

In fact the co-operative movement might be made the very basis of a movement for national reconstruction—a movement for all-round social and economic regeneration of the province. But it is curious and deplorable that the Ministry after 16 months of existence has failed to infuse that vision or to take that wider perspective in order to help the development of the co-operative movement in a real way. What is the position of the co-operative movement to-day? Thirty-five years have passed since the first Co-operative Acts were passed and in the course of 35 years we have got only 18,000 and odd co-operative organisation societies in the whole province of Bengal. Bengal has got over one lakh villages and hundreds of towns and here in the course of 35 years we find only 18,000 co-operative societies in the whole province. Co-operation has not been allowed to develop and the movement has

so far suffered from its extreme bureaucratization both in outlook and the manner of approach. The officers entrusted with the Co-operative Department of Government have not shown any special aptitude or any special competence on the necessary breadth of vision to be able to raise the co-operative movement in this province on a proper footing, and what is proposed in the Bill is merely to give more powers to the Registrar of the Co-operative Societies. I suggest that the experience of very many years has shown that the little powers which they have got have not been utilised and more powers for the Department will merely mean the complete stultification of the co-operative movement in this province. We have witnessed that in recent years an economic crisis has set in in the world; we have found that vital money crops of the province have come down in price ruinously and they have resulted in the general ruination of the province of Bengal. Sir, where was the Co-operative Department all this while? What record have the Co-operative Department got to show that they made any effort in order to check the worsening of the condition, to arrest a worsening of the economic crisis? We might now turn our eyes to the manner in which countries in Europe and elsewhere have approached this question of the co-operative movement. It is perhaps known to all who are interested in the co-operative movement, that when a crisis set in in Europe with regard to the fate and future of Europe's agriculture, when the agriculture of countries like Denmark and other Scandinavian countries were threatened with utter extinction, as the grain production and cultivation was being increased in the American and South American countries, at that time it was by using the co-operative principle on the strength of the co-operative movement that Denmark saved herself and transformed herself into a huge co-operative organization for the farming of live-stock, and built up a new economy to save the country on the basis of co-operative societies. Her national economy was reconstructed and saved from utter ruin in no time. We find that in the course of the last 35 years' lessons of the co-operative movement and opportunities in the line of co-operation have been completely lost so far as the Government of Bengal and India generally are concerned. Here we find the same old perspective, the same old outlook. We find that all that the Government have suggested is that penal methods will stimulate greater efficiency and business methods, and so on and so forth. There is not the least idea in the Bill that the co-operative movement can be a basis of national reconstruction. If we look to the growth of the co-operative movement in the Soviet Union, we find that in the last 20 years in co-operation they have organized the whole distributive as well as the productive economy of the country. We find that co-operative societies have been used there in a fashion unlike the countries, mainly dominated by capitalists, unlike those countries where co-operatives have been used in order to organize profeteering

on a more scientific and more organized basis. Here in the Soviet Union the co-operative movement has afforded an opportunity to the peasants, workers and the poor masses generally to organise their production on a basis whereby they could assure economy of production, could eliminate waste and could ensure greater returns for all their efforts. Sir, I have cited briefly the example of Denmark. India should have taken a lesson from that example. I have also cited what co-operation has done in the course of the last 20 years in a country like the Soviet Union which was not blessed with education so far as the masses are concerned, and which was not blessed with a sympathetic Government 20 years ago. But on the initiative of the people the co-operative movement has transformed the whole economic life of the country there. Where is the provision in this Bill to infuse that spirit of national reconstruction, that spirit of economic co-operation to safeguard the interests of the poor producers and cultivators? We find on the contrary that the Minister's mind has been much occupied with the idea that there is no reason why co-operation should not be made use of by those who have plenty, by those who possess capital, in order to increase their profits. In India to-day, it is not a question of increase in profit with a view to extend the benefits of co-operation to the capitalists and to those who have the funds and means to invest for profit. It is a question of life and death to the entire rural economy of Bengal. After all—Bengal, as well as India, is an overwhelmingly agrarian country and here we have got to have the vision of building up on the principle of co-operation of small holders, to build up co-operation to ensure large economic returns and profits to the poor masses. We know that the peasants are being exploited by speculators in the jute market. We know that the price which jute fetches at the factory gates leaves a huge margin over what actually goes to the peasants, and the misery of the peasants has resulted in the misery of the middle class and the misery of all classes. It has increased unemployment, and we find that there is not the slightest vision in these proposals of Government to stimulate any such means of regenerating Bengal's rural and agrarian economy. From all these considerations I think the Bill is wholly inadequate. The perspective is wrong and it will be disastrous for the country. Already the methods used by the Co-operative Department of the Government have resulted in producing the utmost aversion in the minds of the common folk. As regards co-operative societies and the co-operative system in Bengal they have developed more or less as an organization of a money-lending concern in order to extract more and more interest and in order to realise interests and arrears due when the time is up, with all the ruthlessness that an organization having a basis of this kind is capable of doing. I therefore suggest that the right course for really giving a start to the co-operative movement in Bengal should have been to

have an investigation made into the possibilities of co-operative development in the province from every point of view. There should have been investigation to ascertain what were the possibilities for bringing the entire jute cultivation under a gigantic co-operation of jute producers in order to assure them of funds and proper prices for their products. That would have saved the peasantry of Bengal and a little foresight and a little circumspection and vision in that direction might have helped to check the worsening of the condition of the peasantry of Bengal. But that vision is utterly lacking in this Bill, and the Minister only gives extraordinary powers to the Registrar. But, Sir, mere powers and penal measures will not infuse that spirit of co-operation in the least degree. From this point of view I condemn most strongly the narrow outlook from which this question of co-operation has been approached. I think that there is a large section of opinion interested in the movement. Before any scheme is adumbrated, proper opportunity should be afforded in order to elicit their opinion, in order to invite suggestion, in order to explore the possibilities of this movement and in order to set up an organization on a national scale, in order to plan out our co-operative enterprise for the next few years. If we can commandeer the resources that we are likely to get from jute and such other resources of Bengal, we can, with a 5-year plan of co-operation or some such other plan, open up a new era of co-operative reconstruction. In this we can very well emulate what has been achieved in the Soviet Union and other progressive countries of the world in order to set up and rear up an era of economic regeneration. But this Government has completely failed to comprehend the problem in this perspective. If as a result of 16 months of existence the Hon'ble Minister's department has not succeeded in introducing anything more than this Bill, then the Hon'ble Minister's department stands self-condemned. And I suggest, therefore, that this Bill should not be adopted now. An opportunity should be given to the country to give a start to the whole movement on a proper basis. With these remarks I propose my amendment and commend it to the acceptance of the House. I appeal that in considering this matter there is an opportunity for all sections of this House in pulling their strength, energy and resources together in order to help in this work of reconstruction which need not be looked at from the narrow party point of view. There is the interest of the people in general, and if we approach the question from that standpoint we shall be able to undertake collectively the work of national regeneration. With these words, Sir, I commend my motion.

Mr. SPEAKER: I propose to close this debate just before the prayer adjournment, and I hope the members of the Congress party will kindly select their speakers accordingly.

Mr. Rai Chaudhuri, I hope you will not take more than 10 minutes.

Rai HARENDRA NATH CHAUDHURI: Sir, the Bill that is now before us is a much belated measure. The Act under which the Co-operative Societies now stand organised in Bengal is an Act which is either 26 or 34 years old. Notwithstanding the recommendations of the Royal Commission on Agriculture, notwithstanding the recommendations of the Banking Enquiry Committee, the Bengal Government, even in the first reform days, refused as in the old bureaucratic days to move an inch in the matter. Their criminal supineness has landed the co-operative movement in this province to a very desperate situation indeed. Take, for instance, the Agricultural Credit Societies, some 6½ crores of rupees are invested as working capital in that branch of the co-operative movement and in spite of the fact that this movement is supervised by a Registrar, some Assistant Registrars, a host of Inspectors and auditors, the present position is that more than 50 per cent. of their working capital stands locked up in more than overdue loans and more than 80 per cent. of the working capital in overdue loans. In other words, the movement has been reduced to an absolutely moribund condition, in spite of the fact that it has been bossed by the Hon'ble Minister in charge of the department. But that figurehead never thought of amending even the old Act so long. It is now said that under the old Act the Registrar has not been given sufficient powers to check and control. No more partial truth can be uttered. The Punjab has been administered under the same old Act, but what is the position there? In the Agricultural Credit Department, Rs. 8½ crores have been invested there and only 4 per cent of that covers the overdue loans. There the Registrar acted under the old Act, there also the Minister functioned under the old Act, and yet the Punjab moved forward and Bengal lagged lamentably behind. Now, Sir, what are the new conceptions that have been introduced in this Bill? In the first place, the Hon'ble Minister has invited our attention to the Preamble. Here I may say at once that, the whole preamble has been taken bodily from the Bombay Act of 1925 with some contractions made in bad English. The words that are vital there are the words of Sir Horace Plunkett, viz.: "better living, better business and better methods of production" quoted with some change and transposition. This is the piece of originality that has been introduced in this Bill to start with. Then, Sir, the Hon'ble Minister in charge claims to have made a new provision in this Bill under clause 38, and says that the Government have taken power to give financial assistance to co-operative societies, and that that is quite a new provision, which was not thought of in any other Act. Will the Hon'ble Minister in his ignorance look up the Bombay Act of 1925, section 33A, which says: "With such safeguards as may be prescribed by rules in this behalf, Government may give loans to

societies or guarantee the payment of interests on debentures issued by them"? Financial assistance 'in any form,' I admit, was not introduced in that Act, but this has been possible, simply because the recommendations of the Banking Enquiry Committee were made after the enactment of the Bombay Act. And, Sir, what more has been done? Instead of co-operation we find ample provision here from the very start to the finish to set up the Registrar as the dictator. That is the idea of co-operation of the Hon'ble Minister. Sir, let me simply quote a few words more from Wolff's Introduction to the Indian Co-operative Studies. There we have "For, if the following lines: Russia is large and the Czar far away, so is the Indian province with its one Registrar and action wants to be as much localised as possible." Truly a new Czar has been proposed in the shape of the Registrar. And what are the powers given to the Registrar? These are (1) to supersede the Managing Committee, (2) to remove officers at pleasure, (3) to dictate bye-laws, (4) to issue any and every order ousting the jurisdiction of the ordinary courts in matters relating to the administration of co-operative societies, (5) to impose fines, (6) to direct payment of any amount that may be found due from any person, (7) to charge and surcharge and (8) to punish men for certain misdemeanour, etc. He has been set up both as a prosecutor a judge and a jury rolled into one. He is everything under this Bill. But what was the recommendation of the Central Banking Enquiry Committee? The recommendation was to this effect: 'that in order to popularise the co-operative movement and to promote the sense of responsibility among the members of societies the official control that now exists should be slackened', and this is how the Hon'ble Minister proposes to slacken official control in the co-operative movement!

An expert co-operator, I mean Mr. Wolff, stated that what was wanted in India was something very different "The co-operation eventually introduced in India was distinctly a Government measure, necessarily the product of Government action, issuing from headquarters, with the Government stamp impressed upon it so plainly in fact that often enough quite naturally its character and its objects came to be misunderstood by those for whose benefit it was introduced and who have seen in it only a new form of the familiar takavi loan coming from the Government's pocket and recoverable by Government pressure." Now, what is wanted in India is indicated thus: "Here is an opportunity for a new force to come in to swell our army of conquest as war recruiting so successfully swelled our fighting army for the great world's war. We have no Schulze or Luzzatti or Raiffeisen, but we have in India many thousands of persons who, we may be sure, wish the country and more especially is poorer population now battling with debt and insufficient employment, well, who might take up this task. For once we have co-operators in sufficient

number, there is no occasion to fear that co-operation will not sell-shift for itself. It is the leaven that is wanted. It is volunteer work that we stand in need of more than anything else in India."

There is no clause in this Bill which proposes to encourage this voluntary work. Every clause contemplates coercion in one shape or another and this is the Bill that has come out of the hands of our Hon'ble Minister-in-charge in these days of new reforms. There is at least one member in the Cabinet who was a signatory to the Central Banking Enquiry Committee's Report which recommended, that the official control which now exists in certain provinces should be slackened. It is not a Bill, Sir, to encourage or promote co-operation. It is a Bill, as I have said before, to set up the Registrar as a dictator and to introduce a new Penal Code in the name of co-operation. My personal views is that this Bill should be altogether rejected, but what I propose is that the Bill should be circulated, so that people may be acquainted with the provisions of the Bill and a Bill of this character may not be rushed through this Assembly.

Now, Sir, the Hon'ble Minister has proposed to refer the Bill to the Select Committee, but is he quite sure that the country will accept the principles embodied in this Bill? If not, how does he propose that the Assembly should be committed to the principles of this Bill?

Then, Sir, in the other provinces before introduction of such a Bill to replace the all-India Act, they were guided by the opinion of expert committees. There was the Townshend Committee in Madras, the Oakden Committee in the United Provinces and the Calvert Committee in Burma, but here in Bengal the Government did nothing at all to set up any committee of experts to recommend on what lines the amendments or rather a comprehensive legislation in the matter of co-operative movement should be undertaken. That is an additional reason why this Bill should be sent out for eliciting public opinion.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, I rise to support the motion of my esteemed friend Mr. Niharendu Dutta Mazumdar. I feel that this Bill is premature; it is ill-conceived and it is full of dangerous propositions. The Bill is a legacy of the old irresponsible Government, and it does not seek to tackle the real problems of the co-operative movement as has been explained by my friend very ably. I have with me a printed copy of the Bengal Co-operative Societies Bill of 1936 which was supposed to be for official use only. I have compared chapter and verse of this Bill clause by clause with the Bill before us, and I find that barring a few verbal alterations and one or two paragraphs, where certain more drastic powers were proposed to be given to the Registrar, there is hardly any change of any note in the new draft. I had, Sir, on a previous occasion, in the second session of the Assembly in September, 1937, pleaded for the appointment of an

independent and impartial Committee of experts to go into the whole question thoroughly, and then arising out of that if there was any recommendation, to have legislation to help the co-operative movement in the province. Previous to that, Sir, our esteemed countryman Mr. N. K. Basu, in the year 1935, pleaded very ably for the appointment of such an expert committee of a majority of non-officials. From time to time for the last three or four years claims have been made from different platforms for an investigation into the working of the co-operative societies of Bengal by an independent non-official expert committee. We fail to understand why Government is so much afraid of an investigation by experts where an expert investigation alone can help us in finding out a solution for the evils at present rampant. Is it, Sir, because the Department is steeped in so much corruption that the Government is afraid to lay before that committee of experts or any committee whatever the materials that might reveal ugly disclosures? To-day, Sir, it is not my purpose to introduce any passion, because my motion is just for sending this Bill for eliciting public opinion. I suppose a strong enough case has been made out in that respect. Because from press and platform everywhere this claim is being put forward. In the "Panchajanya," from as far a place as Chittagong voices come that this Bill should not be rushed and there should be an expert committee before this kind of measure is undertaken. In the "Modern Review" of this very month, our able journalist leader Mr. Ramananda Chatterjee argues and pleads for a complete examination of the whole question by an expert committee before such a measure is introduced. A manifesto written out and subscribed by many leading countrymen of ours including Sir P. C. Roy has been sent round—and I suppose it is in the possession of Government by now—in which they all plead for an expert enquiry committee before a Bill of this nature is undertaken. In the first session of this Assembly the Hon'ble the Chief Minister himself assured us that he would look into the question thoroughly, and "if a *prima facie* case has been made out, a Committee will certainly be appointed." These were the words that he did use. "It does not matter much if it reflects on the present and the past officers connected with the Department," and so on and so forth. But in spite of all these assurances, we find a Bill presented before us, and the Hon'ble Minister asking us to commit ourselves to the principles contained in the Bill to which we will be committed if we accept the proposition for sending the Bill to a Select Committee.

I submit, Sir, that there are grave defects in the present Bill which our friend Rai Harendra Nath Chaudhuri has already pointed out. While these defects exist, it would be extremely unwise and rather dangerous to ask this House to commit itself to a proposition which would be shattering the entire life and soul of co-operative credit

movement in this province. I claim that this Bill practically nullifies co-operation in all its aspects. This Bill does not in the least attempt to provide the most important thing in co-operative movement, namely, non-official initiative. It kills initiative, as a matter of fact. It does not seek to find out more funds for the rural areas to help rural credit which is the fundamental of all requirements in the rural areas at the moment. It does not try to place the audit independent of supervision as was promised by the Hon'ble Minister himself in this House some time ago, and it does not in any way help to create a healthy organization of independent non-officials for the purpose of running co-operative societies. On the contrary, this Bill practically sweepingly condemns all non-officials in the sense that it is planned on the assumption that it is in the hands of non-officials that certain maladministration has developed. I submit, Sir, if the history is properly looked into of all these cases of maladministration that have been brought to light recently, it will be proved to the hilt that the maladministration of the co-operative societies starts not from below, not from the societies themselves but from above, that is to say, from the head of the administration of the Co-operative Department. I am afraid that in every case, in the case for example of—I will give only one example—the Hooghly Central Co-operative Bank case it is significant that in spite of the departmental circular No. 6 of 1927 where it was enjoined what the procedure for defalcations should be, and how in all cases of defalcation reports should be immediately made to the Registrar, and whenever any defalcation in a society is detected reports should be submitted to the Assistant Registrar promptly and an enquiry should be made—in this particular case nothing of the kind was done till a long time had elapsed, and the culprits practically managed to hush up the evidence. I submit, Sir, that at that time all the officers who are at the present moment seeking to obtain more power were there, and in spite of their powers already existing such things happened, and no body could check maladministration. In fact, Sir, in connection with this enquiry it was revealed that with the extraordinary power that the Registrar at this moment possesses of permitting transfer of funds to another society, the money of the Hooghly Central Co-operative Bank was transferred to another moribund society in Calcutta, of which a friend of the Registrar himself happened to be the Secretary. That money was transferred at a time when that society was in an extremely bad way; and when the money was going up that side an investigation was actually started and still the Registrar did not stop funds being frittered away from the Hooghly Central Bank towards the South Calcutta Bank. That being the case, Sir, I submit that more powers in the hands of such officers would only lead to a rather dangerous proposition and would not cure the present evils. In fact, Sir, I have still more evidence to show that corruption does not stop with the

Registrar; it goes higher up. Unfortunately, it is my painful duty to have to submit to this House, and I do so with every sense of responsibility and say that even the Hon'ble Minister in charge of the Department did not fight shy to utilise the services of some of the officers of the department in his personal matters. Sir, I had on a previous occasion referred to this, and I was ruled out by the Hon'ble the Speaker. I have to-day got the evidence in my pocket. Here is a Bill purporting to be paid in connection with a party given by the Hon'ble Minister in charge to His Excellency the Governor, and in this Bill the amount is paid for at the address of the Co-operative Milk Union Society by the staff of that society. I am not going to name the person, but anybody who is interested in it, is at liberty to come and have a look at it. That being the case, Sir, I stand on unimpeachable evidence, and I submit that an enquiry is called for. You cannot allow such drastic powers to be given to anyone, which helps to foster corruption. You cannot possibly allow anybody to have definite powers not merely of allowing loans or granting loans which have been carelessly and recklessly given in the past to be given away again on the advice or under the control or direction of one officer whoever that may be and however highly placed he may be. Therefore, I submit that this is a case in which you must, if you have a sense of honesty, seek public opinion on a matter like this, and the House must not stultify itself and try to rush through a measure which is ill-conceived and thoroughly reactionary. I submit, Sir, that my esteemed friend Mr. N. K. Basu said some time ago in the Legislative Council in 1935 that there was a bundle of reports lying unopened in the archives of the Writers' Buildings—reports relating to the various audits of different primary societies. This state of affairs still continues. In reply to some question before this House, it was revealed that the reports about the auditing of several societies which were received long ago were not handled by Government properly, and even now no action has been taken on some of the serious charges made in those audit reports. Government would always say that the matter was "under their consideration," and they would take steps. That "under consideration" will never come to an end. My esteemed countryman Mr. N. K. Basu also said at that time that people who were not even matriculates were appointed auditors and inspectors, and that is why it is not possible to get the right type of thing. In fact, I have not been able to verify a particular matter, but I have got a slip from which I find that a particular auditor of the Co-operative Department spells auditor as "aditar". It is absolutely impossible to get the right type of auditing from people who do not know even how to spell their own post. That being the case, Sir, I feel that a thorough investigation is necessary. The history of the Department is rather depressing. The appointments in the Co-operative Department have gone not so much

on merits but on other considerations. An enquiry therefore is urgently called for.

Maulvi ABDUL BARI: On a point of order, Sir. Is my friend speaking relevantly? When talking on the Co-operative Societies Bill he is speaking about appointments and other matters. He went so far as to accuse the Registrar of the Co-operative Department and even the Hon'ble Minister for utilising the services of some officers of his staff in his personal matters.

Dr. NALINAKSHA SANYAL: Let the Minister defend himself. As I was saying my esteemed friend Mr. N. K. Basu said that the Co-operative Department had become a "Department of law of the Bengal Cabinet." I would like to know, Sir, if this state of affairs still continues and whether the relations of high officers and even of the Hon'ble Minister are still getting preferential treatment in appointments and promotions. There is reasonable ground for supposing that such a state of affairs still continues, and, Sir, this morning—not long ago but this morning only—we had a number of new recruits, supposed to be under training in one of the co-operative training centres, somewhere near Calcutta, who came to some scheduled caste members of this House and demanded that they should vote in a particular manner on the day of reckoning that is shortly to come.

Mr. SPEAKER: Dr. Sanyal, I think you are going a little too far.

Dr. NALINAKSHA SANYAL: All right, Sir. My claim is for investigation, and the reason why I claim investigation has to be thoroughly explained. If, Sir, you feel that the House is sufficiently convinced I need not labour the point any further. I submit, Sir, that apart from these questions of corruption the fundamental issue of failure of this Bill to provide funds or secure funds or make provision for better financing of the Co-operative Societies has not been dealt with; and if not for any other reason then for this reason alone this Bill in its present shape and form should not be accepted by this House, and we should seek public opinion, so that we may be in a position to draft a very comprehensive and very much better Bill where this principle of co-operation will be provided for, and the whole of the province will be benefited through a measure of far-reaching political and economic significance. I would like in the end, Sir, to draw your attention to my suggestion contained in the note circulated——

(At this stage the member having reached the time-limit resumed his seat).

Shah ABDUR RAUF: Sir, I rise to oppose the motion for circulation of the Bill for eliciting public opinion. My friends on the opposite side who are in favour of circulation perhaps do not know that the Hon'ble Minister in charge convened an informal conference in which all the co-operators, *i.e.*, persons who were connected with Co-operative Central Banks for a long time and some who are honorary workers in village co-operative societies were called and after thorough discussion this Bill was framed. I admit that this Bill is not all-comprehensive—there is no doubt about that. What Rai Harendra Nath Chowdhuri and Mr. Niharendu Dutta Mazumdar have said cannot in any way be supported. The urgent necessity for such a Bill has been clearly shown by the Hon'ble Minister in charge in the Statement of Objects and Reasons. He says that the Bill seeks to check abuses, inculcate a healthy sense of responsibility on the managing committees of co-operative societies, to improve the working of the present organisation and to ensure the soundness of future development. I am one of those who have been connected with the co-operative movement for a long time and worked for over 7 years as Honorary Secretary of the Rangpur Central Bank. My experience is that banks which are in the hands of non-officials do not work properly. The Rangpur Central Co-operative Bank was started in 1916 or 1917 and when I came in office in 1929, I found to my utter surprise that not a single pice was realised either towards the principal or towards the interest. Sometimes the interest was double of the principal and so on. So some sort of check is urgently necessary to realise the dues. So far as the old Act is concerned, there is no provision to realise dues from individual members. Sometimes awards are given but they cannot be executed without proper facilities to realise them.

I was a member of the informal conference called by the Hon'ble Minister and we discussed this question and the honorary workers in the Conference came to the conclusion that the Bill should provide for the prompt realisation of dues and that the powers of the Registrar should be increased to facilitate realisation of dues.

There is no denying the fact that the present financial crisis of Co-operative Banks in various districts is not only due to lack of supervision on the part of non-official workers but also on the part of departmental officers. I do not say that it is the non-officials only who are at fault, the officials also are to be blamed. They do not exercise that amount of vigilance which they ought to exercise in working the societies. Various cases of defalcation could have been avoided, had proper vigilance been exercised by the officers of Government and there would have been no necessity for such a Bill. I honestly believe that some sort of power ought to be given to the Registrar in order to give him proper facilities to realise the amounts that have been lent out to the co-operative workers. The present co-operative movement in Bengal was started in 1912 (Rai HARENDRA

NATH CHAUDHURI: Was it not in 1904?), I believe it was modified in 1912. But the working has not been up to the mark. Of course the idea of co-operation, as we find in books on co-operation by different authors, has not been translated into action so far as our country is concerned. But, Sir, under the present circumstances, it has become absolutely necessary that some sort of special power ought to be given to the Registrar, otherwise financial crisis will arise. It has already arisen in several Banks. Some of these Banks have been turned into a sort of money-lending firms and the idea of co-operation has been completely lost sight of. There was no other business of these Banks but to realise money from the people.

Now, persons who have experience of working in the co-operative societies were consulted and their valuable suggestions have been incorporated in the present Bill. I do not hold any brief either for the Registrar or for the Hon'ble Minister in charge, but it would be unjust if we question their honesty. As the law stands now, they could not have done better than what they have done. The Hon'ble Minister has been in charge of the Department only for the last 15 months and during this short time we cannot expect any better result. Of course, if the Department continues to be in his hands, we expect much improvement in future.

Sir, it has been said by my friend, Rai Harendra Nath Chaudhuri, that the Bill contemplated to set up the Registrar as the dictator of co-operative societies. But I do not think like that. Only such powers are being given to him which should be given to him and which are absolutely necessary.

I submit no useful purpose would be served if the Bill is sent out for circulation because in doing so whose opinions are going to be invited — the opinion of laymen—persons who are not in any way concerned with co-operative banks or societies—their opinion will not be of any value as it will be based solely on theoretical knowledge. It is the opinion of those persons who are connected either with Central Co-operative Banks or with Rural Societies that should be considered and in the informal conference, it was such persons who are invited and their suggestions were fully considered and have been incorporated in the present Bill. So no purpose would be served by circulation and I, therefore, oppose the motion for circulation.

The Hon'ble Mr. A. K. FAZLUL HUQ: May I intervene at this stage of the debate to make a suggestion which I hope will shorten the discussion and thereby economise the time of the House? I suggest that the Bill be now referred to a Select Committee and, if necessary, the Select Committee can consult public opinion in the course of their deliberations. This will shorten the time. As is well known, the co-operative societies in the province have not been working very

satisfactorily and an amendment of the Act has long been overdue. If the Bill is circulated for eliciting public opinion, it will take months before the Bill comes back to this House for consideration in the Select Committee and it will take some time before it becomes law. Therefore my suggestion is that if the Bill goes to a Select Committee now, the Select Committee will have power to elicit public opinion and to mould the shape of the Bill in the Select Committee in the light of the opinion that may be obtained. I may mention here for the information of the House that we did consider the question of sending the Bill for circulation and by calculation we found that even if proper steps were taken to quicken the several stages, it will take at least six months, and perhaps not before the next budget session, to pass the Bill. In the meantime some of the societies are working very unsatisfactorily and there are various powers that have got to be taken in order to put a stop to some abuses which are taking place—powers have got to be given to the officers of the department to check them. For all these reasons, sympathising as I do with the desire of the House for eliciting public opinion on such an important Bill like this, I would request my hon'ble friends to let the Bill go to the Select Committee where they can get public opinion, if the Select Committee think it necessary. I do not think for a moment that on a Bill like this public opinion should not be elicited. It is one of the most important Bills which Government can undertake for the amelioration of the condition of the people and I think all sections of the House, apart from all political considerations, will join and co-operate with the Government and let us have the full benefit of their advice in order to bring about a piece of legislation which will be of immense benefit, especially to the poor agriculturists, who demand cheap credit to be provided for them as quickly as possible.

Dr. NALINAKSHA SANYAL: May I ask the Hon'ble the Chief Minister one question, Sir, whether the proposal that he has made would amount to committing this House to the principle of the Bill or whether he would also move that the Select Committee will be entirely free to go over the whole question in the light of the public opinion obtained and to dratt an entirely new Bill, without committing itself in any way to the provisions of this Bill?

The Hon'ble Mr. A. K. FAZLUL HUQ: Ordinarily the committal of a Bill to a Select Committee means the acceptance of the principles of the Bill.

Rai HARENDRA NATH CHAUDHURI: Yes, that is what we are afraid of!

The Hon'ble Mr. A. K. FAZLUL HUQ: But in an exceptional case like this it may leave that power to the Select Committee, if necessary, and if important changes have got to be made in conformity with public opinion, probably it might be done. We are not obstructive at all. We are all anxious, and I am particularly anxious myself, because I was associated with the movement in my youth and I spent some best years of my life in carrying out this movement in various parts of Bengal. I am interested in the movement and I would like to see the movement put on a proper footing. So, if the public opinion elicits facts which necessitate some changes even in the structure of this Bill I should think that the Select Committee should have the power to do so.

(Hear, hear, from the Congress Benches.)

Mr. C. MORGAN: Sir, may I ask a question of the Hon'ble the Chief Minister? I would like to ask the Chief Minister as to what he means by "eliciting opinion through a Committee". Does he mean that the Committee will issue to various bodies and various people invitations asking them whether they would like to give oral evidence just as was done in the case of the Royal Commission on Agriculture when on invitations of that Commission people came forward to give evidence? Is that also what the Hon'ble the Chief Minister means when he speaks of "eliciting public opinion"? Does he mean that there will be definite invitations made to public bodies to come before the Committee and give oral evidence on a questionnaire or discuss it clause by clause?

(Maulvi Abdul Bari rose to speak.)

Dr. NALINAKSHA SANYAL: Sir, let us have a reply from the Hon'ble the Chief Minister to Mr. Morgan's question first.

Mr. C. MORGAN: May I have a reply from the Hon'ble the Chief Minister as to what "eliciting public opinion" really means "eliciting public opinion through a Committee"?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: In reply to the question put by Mr. Morgan my submission to this House is that the Bill was published in the local official Gazette on the 7th of July, and it has been before the public for a month now. If in the course of the discussion in the Select Committee, it feels that any further public opinion is necessary, it will be certainly within the scope of the Select Committee to take all those opinions for consideration, but it will not be a feasible proposition at this stage to ask the public for an opinion on this Bill. I may tell the House that it may now be

understood generally that whatever opinion may be sent, will certainly be considered by the Select Committee at the time when they take up the matter for consideration.

Rai HARENDRA NATH CHAUDHURI: I beg to submit, Sir, Mr. Morgan's question was an entirely different one, and the Minister's answer is no reply to it. Mr. Morgan's question was whether definite invitations will be issued or not to the public. For otherwise how could the public come to know whether they were to send in their opinions or not? And how else could the Select Committee consult the public? This relates to an important matter of procedure —the question put by Mr. Morgan. It has not been answered by the Hon'ble Minister but evaded.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I hope the discussions that we have had now will show to the public,—at any rate, to that section of the public which is interested in this matter—that they can send in their opinion for consideration by the Select Committee and it will also be for the Select Committee to consider if any further opinion is required.

Dr. NALINAKSHA SANYAL: Then you are afraid of going to the public for their opinion.

Mr. SPEAKER: I think I should intervene at this stage and give certain indications of what the previous practice has been. To a certain extent, these matters do not depend upon what a particular Minister or a member might wish. We must look to the nature of the Parliamentary practice in this matter. If it is the desire of the House that the Select Committee will not only consider the Bill but also such opinion as will come to them, it will be perfectly open to the Committee to consider those matters. The Select Committee in addition to that is always entitled, if it so decides, to have expert evidence and call for any witness or ask for any memoranda from any persons or bodies that it wishes. Subject to that, however, if it is in contemplation, after the Bill is published in the Gazette, to ask all and sundry to give their opinion, I doubt whether the Select Committee can do that. The Select Committee can certainly consider any opinions that the public may send to them. They can, for instance, certainly call for expert witnesses if they think necessary. Therefore, I think there should not be any misunderstanding. I have found that the Select Committee is not entitled after the principle of the Bill is accepted, to issue general invitations to the public to give evidence on any matter outside the scope of the Bill.

Rai HARENDRA NATH CHAUDHURI: That is our difficulty, Sir.

Mr. SPEAKER: But the Select Committee can always ask public bodies and persons interested in the matter to give their opinion and in the light of that opinion the Select Committee can shape and make their recommendations to the House. Personally I do not see that in substance there is really any difference between the contention of my friends on the left and the contention of my friends on the right. In substance they agree. I am not speaking in any way from the the point of view of taking sides but I feel that probably your wishes will be fully met if people who are interested in the co-operative movement are asked to give their opinion.

Rai HARENDRA NATH CHAUDHURI: No, experts must also be invited.

Mr. SPEAKER: I have said that that is perfectly within the purview of the Select Committee. If experts are invited and public bodies are also asked to give their opinion and persons unasked may also give their opinion, then, so far as you are concerned, you ought to be satisfied. On the other hand, the contention of the Hon'ble Minister that there cannot be any general invitation to the public to give their opinion, will not suffer.

Mr. C. MORGAN: May I revert to my original question? What I wanted to elicit from the Chief Minister was what he meant in suggesting a sort of compromise with a view to shortening the debate. What did he mean by saying that the Committee would, as one of its terms of reference, be asked to call for or elicit public opinion if they consider it necessary? What was the actual meaning of the words that is all that I want to know. I know the powers of Select Committee. I know what they can do or not do, having myself been a member of many Select Committees. I know that they can always call for oral evidence and evidence of experts if they so want, but in the present case I wanted the Chief Minister to explain what is meant by the words "eliciting public opinion through the Select Committee."

Mr. SRINATH BANERJEE: May I put another question which the Hon'ble the Chief Minister may answer at the same time? If the Select Committee is to circulate the Bill it will take time and there are certain things also which the Select Committee cannot do. Moreover, we are handicapped in our work because we do not like the Select Committee proposed. Therefore it would be far better if we discuss the Bill here and now completely and pass it. By sending the Bill to Committee no time is gained in any way.

Maulvi ABDUL BARI: May I give my opinion in this matter?

Mr. SPEAKER: On what point?

Maulvi ABDUL BARI: On this matter of eliciting opinion.

The Hon'ble Mr. A. K. FAZLUL HUQ: I would like to make it clear that what I meant was that the best way of economising time would be to send the Bill to a Select Committee. The Select Committee could consult selected bodies, examine experts, take their opinion and deliberate amongst themselves and then come to a decision as to whether the Bill as drafted and, may be, as altered in the Select Committee, should be presented to the House or, if necessary, they could have a new Bill drafted. At the present moment, if the Bill is circulated for public opinion to selected bodies and individuals, it will mean a mere waste of time, as I have calculated that it will take at least six months' time before the Bill can be taken up. But the experts to be consulted are a certain number of public bodies and individuals and it will not take much time so that the Bill may come up to the next session of the Assembly as quickly as possible.

Mr. SIBNATH BANERJEE: Sir, I have listened attentively to what the Hon'ble the Chief Minister has said but I am afraid I am not fully convinced. First of all, it is suggested that it will economise time, but, as I have already pointed out, it does not, because it will be a duplication of work, and at the same time we will be handicapped in the Select Committee as no new principles can be embodied in the Bill there (The Hon'ble Mr. A. K. Fazlul Huq: If it is beyond the scope of the Bill). Yes. It has already been pointed out that this Bill has been drafted with a very narrow vision; the vision of the co-operator is not there at all. The co-operative movement can be really utilised for national reconstruction, but provision is not there. Only the vision of a school master who can use his rod very well is there to penalise the co-operators. With that end in view and to make the Registrar a dictator, the Bill has been drafted. On the other hand, if the Bill be circulated, then every shade of view may be placed before the Hon'ble Minister so that another Bill may be drafted with a better vision and with the possibility of fully utilising the co-operative movement, and then it will be a Bill worthy of this House. But in the present Bill only some penal clauses have been incorporated, and nothing more and nothing further than that. I would like to say a few words about what the Hon'ble Minister has said in introducing the Bill. He has tried to give us a picture of the expert opinions taken. But I may inform the House——

Mr. ABDUR RAHMAN SIDDIQI: I rise to a point of order, Sir. Has the debate stopped or are we continuing the debate, or is it questioning or cross-questioning that is going on?

Mr. SPEAKER: The debate is going on.

Mr. ABDUR RAHMAN SIDDIQI: I beg your pardon, Sir.

Mr. SIBNATH BANERJEE: I have here a letter from the Chairman of the Ranaghat Central Bank. He says that he was present at the meeting referred to by the Hon'ble Minister in which several suggestions were made, but he does not find those suggestions in the Bill that is before us now. That was in February last. Let us come to a more recent period. Only the other day in the annual meeting of the Provincial Bank which was opened by the Hon'ble Minister, the Registrar proposed that the draft Bill which is before us now be accepted, but the House will be surprised to hear that the co-operators in that annual meeting of the Provincial Co-operative Bank refused to accept the Bill. They said that they could not accept it. They wanted time to consider the provisions of the Bill. The Hon'ble Minister also says that he opened two or three conferences and everybody there agreed to the Bill. But here is a fact which I am disclosing, viz., that a conference was called by the Hon'ble Minister in which the Registrar proposed that this draft Bill be approved, but it was not approved. Only three days back there was a meeting of the co-operators in the Mahabodhi Society and a resolution was passed .....(The Hon'ble Mr. H. S. SUHRAWARDY: But you are non-co-operating) ...Yes, from your point of view, Mr. Suhrawardy.

I am reading now the resolution for the information of the House: "While fully recognising the need of a modification of the existing co-operative law with a view to liberalising and democratising the co-operative organisation in this Province by releasing it from official control and domination and transforming it into a popular movement of a genuine co-operative character, this conference protests against the new Co-operative Bill as it sets entirely at naught the fundamental principles of co-operation, attempts to place the co-operative organisation wholly under official surveillance and the autocratic control of the Registrar in many vital matters, introduces features of an extremely retrograde character such as the insertion of penal clause and the use of a system of punishment by fines, etc., along with methods of regimentation and departmental dictation and ignores essential reforms urged by a succession of committees, commissions and conferences since the time of the MacLagan Committee on co-operation for the rehabilitation of the co-operative movement, and urges that before such a reactionary and un-co-operative legislation is placed before the Legislature, the Bill should be thoroughly recast and brought into line with the accepted principles of co-operation and then the usual course of circulation be adopted." It has been maintained here that for the Registrar more power is necessary and in the conference which was called by the Hon'ble Minister, it was agreed to by many that some residuary powers are necessary. But I should like to inform the House what are the powers already given to the Registrar. And it may be remembered

that in the last session of this House when this question was discussed, it was pointed out from our side and also by myself that not more but less power is necessary, because the Registrar is already a dictator. I shall here read some of the powers given to him. The Registrar in accordance with the terms of the Act is constituted the very foundation of the movement. It is left entirely to his discretion to register or refuse to register a society under section 9 and the bye-laws and every amendment of them require his approval under sections 9 and 11. Thus on him rests the responsibility of seeing that a society starts under conditions as favourable as he can make them. In order to ensure that wise rules are carefully observed, he is given unlimited power of inspection and audit, under sections 17 and 35. He controls the power of a society to make loans to and receive deposit from a non-member under sections 29 and 30 and has a voice in the investment and disposal of its fund under sections 32(*i*) and 34. Finally, he has full discretion subject to the right of appeal to the local Government to order the dissolution of a society and to appoint a liquidator to wind it up. The fact is that the department is absolutely inefficient. First of all, the audit department has not been separated. So, those who are running the banks go for auditing them. That is a preposterous state of things. Then, Sir, audit reports are not given in time and for six months audit reports were not available. Then even when they were available no action was taken for months together and when orders were given they were not carried out. I may mention that the Howrah Central Co-operative Bank went into liquidation about four years back. I went to the department to know something about it, and I was asked to go to the Secretary. I went in search of the Secretary at the Howrah Bar, and I learnt that the Secretary was dead three years back. The department knew nothing about it. The Bank went into liquidation four years ago and the department has been sleeping over it. That is the state of affairs with many of the other banks, and because of that all these troubles come. And now instead of rectifying his own department he has, should I say, the impudence to come and say that if is the public who are in the wrong, it is the public who are to be blamed. He does not look to his own department; he does not rectify his own department; he does not correct his own mistakes, but comes out and says that it is the public that are to be blamed.

Mr. ABDUR RAHMAN SIDDIQUI: Sir, I think it is all unparliamentary.

Mr. SPEAKER: I can only say that I do not think it is unparliamentary.

I might say that I now adjourn the House for 15 minutes for prayer. I do not propose to sit after half past seven. Immediately after the adjournment I will allow one speaker on my right, say, about 7 minutes.

After that I will call the Hon'ble Minister, and after that close the debate. I may announce at this stage that there will be no session to-morrow. As a result of representation which I made on your behalf, the Governor has agreed to allot two days for supplementary demand. I may point out that the flood question is an important matter and for all practical purposes, if it is for one day only, we will have 1½ hours only as the guillotine will fall at 6-30. So we are in difficulty in finding out suitable dates, and the only alternative that could be thought of is Wednesday and Thursday next. There will be no supplementary demand matter taken up to-morrow. The only other Government matter after this Bill is finished this week will be the Money-lenders Bill and two Government resolutions. So far as the resolutions about the allowance and other matters are concerned, I understand they are not going to be taken up this session. So I might say that a circular has been issued to you announcing that there will be no sitting to-morrow. We will sit again on Friday at 3-45 p.m. In the meantime I propose to adjourn the House to-day at 7-30.

The House stands adjourned for 15 minutes.

At this stage the House was adjourned for 15 minutes.

(*After adjournment.*)

Maulvi ABDUL BARI: Mr. Speaker, Sir, I am afraid in discussing this motion, most of the speakers drifted away from the real issue on the point, when they went on discussing the merit of the Bill and went on discussing it clause by clause, particularly when some of my friends charged the Hon'ble Minister with plagiarism, namely, having taken the preamble of the Bill from the Bill of the Bombay Presidency and particularly so when my esteemed friend Dr. Sanyal charged the Registrar with corruption and thinks like that. These things might very well have been discussed at the time of the discussion of the Budget——

Mr. M. SHAMSUDDIN AHMED: Budget!

Maulvi ABDUL BARI: Yes.

Rai HARENDRA NATH CHAUDHURI: Preamble of the Bill also!

Maulvi ABDUL BARI: And moreover these things might have been discussed, and also if they have got any grievance against the Hon'ble Minister at the time when the no-confidence motion that has been tabled against him will be taken up. These are beside the point so far as the present issue before us is concerned. The only issue

before us is whether this should be referred to a Select Committee, or whether it should be circulated for eliciting public opinion. Therefore, it was absolutely unnecessary and beside the point when these matters were discussed, and when my friend Mr. Dutta Mazumdar appealed to the House to discuss these points from a non-party point of view. I think matters like this ought not to have been introduced at all.

Now, Sir, so far as the question of circulation of the Bill for eliciting public opinion is concerned, what is this public opinion, and what the circulation does really mean? Does the circulation mean that public opinion of the masses and of the people in general should be had, and after receiving their opinion the Bill should be drafted? If I understand aright, public opinion means only the opinion of the persons who are connected with the department, the opinion of the persons who are expert in the department. And if that be so, Sir, as has been rightly stated by the Hon'ble Minister, the public opinion was elicited inasmuch as when he called an informal conference of all the co-operators, namely, the Chairmen of Co-operative Societies and the Secretaries of Co-operative Societies throughout Bengal. I was one of those who attended that informal conference which was attended by at least 100 persons, and the sitting was held for two days continuously, and I know very well, Sir, that the matter was discussed threadbare, and suggestions from each individual member was obtained. So far as I have seen, some of those suggestions have been included in the Bill and some have not been. That is true.

By eliciting public opinion it is sought to improve the measures of the Bill. Now, who are the persons who are going to give their opinion? Certainly those persons who attended the meeting are the real persons who can give an opinion on that matter. Moreover, I think the Hon'ble Minister cannot be accused when he wants to refer the matter to a Select Committee, because it was unanimously demanded by the members who attended the conference that the Bill should be made into law as soon as the session meets again, and that is why the Hon'ble Minister referred the matter to a Select Committee. Now, Sir, if the whole matter be referred for eliciting public opinion, it will be practically shelved. It is known very well to all the members of this House that there are many defects in the existing Co-operative Acts and those defects have not yet been rectified. In order to remove these defects as early as possible to enable the department to run on proper lines, the Hon'ble Minister has tried to make the Bill into law as early as possible.

So far as the Select Committee is concerned, I find that the Select Committee consists of seventeen or eighteen members, all of whom are somehow or other connected with the Co-operative Department.

They would know the defects under which the department has been working, and it will be up to them to make additions and alterations, and things like that. Of course, it is up to the Select Committee to give up any clause of the Bill they may choose; they can add, subtract and deduct anything. Therefore, I do not think that there is any utility in referring the matter for eliciting public opinion. Of course, if it is necessary that some names should be included, if the House so desires and if the Hon'ble Minister so likes, it can be done. But by referring the Bill for eliciting public opinion, I think the whole object of the Bill will be defeated, particularly because, before next June or July, the Bill will not come up before this House. Some have said that the public opinion will be elicited by December, some have said by January, while some have said by November. Thereafter, the Bill will again come from the Upper House at the end of December, 1939. What effect will it have? The effect, in my opinion, will be that the Bill will not be made into law, and the defects of the Co-operative Department will not be rectified at least for one year to come. Now, if the Select Committee proposal be accepted, then the result will be that the Select Committee will submit report before October or November. In that case by the end of March next the Bill will be made into law.

Under these circumstances, Sir, I think that the speeches that have been made for referring the matter for eliciting public opinion should not find support from this House; and particularly as Mr. Dutta Mazumdar has said this matter should be looked into from a non-party point of view, I hope that my friends will agree with me that when they have come to power they can change the clauses of the Bill and add to it and amend it in any way they like. Of course, we are committed to the provisions of the Bill, but we can subtract as well as add some clauses. That can be done amicably. If it be found that the entire Bill is unwholesome, then the Bill can be dropped, if necessary. Therefore, Sir, on these considerations I think that the motions for circulation should be opposed and the motion for referring the Bill to a Select Committee should be supported.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Mr. Speaker, Sir, I have listened with very great attention to the speeches delivered by some of my honourable friends in support of the motion for the circulation of this Bill for eliciting public opinion. I have not been able to find out any reason why this should be done. I am entirely at one with my friend Mr. Niharendu Dutta Mazumdar when he says that the scope of the Bill is to be widened and so forth. It is apparent that we have been working under a very serious handicap and as I indicated in the opening I have come forward with this measure before this House, and that I have done this as it is based upon our experience of the working of our department for some time now. Now, if it is

thought in the course of our discussion in the Select Committee that some of the provisions should undergo a change, or some of them should be modified in some form or other, I do not think that there is any bar to this being done, but, Sir, that being the position, I do not see any justification for the Bill being circulated for eliciting any further public opinion. As has been pointed out by two of my honourable friends who were good enough to attend the conference in February last—I refer to my friends Maulvi Abdul Bari and Mr. Shah Abdur Rauf—these things were discussed, and I do not think I shall be justified to go over that ground once again, and I submit with all respect that no reasonable ground has been made out why this Bill should again be circulated for eliciting public opinion. As has been pointed out, and that very rightly, it is a measure which should be examined by persons who can be said to have some expert knowledge on the working of the Co-operative Societies of this province. That being so, Sir, I do not feel that any case has been made out for circulating this Bill to the people of this province at large.

With regard to the observations that have been made by my friend Rai Harendra Nath Chaudhuri, those observations also call for immediate action. He has been good enough to admit that because of the lack of supervision, 50 per cent. of the money lent out to the village society members has been locked up. If he will look at the existing Act of 1912 he will find that no power is given to the department to enforce compliance of rules if those gentlemen who are in touch with the working of the societies in the interior do not listen to the advice given to them by the department. When it is said that it should be more non-officialized it has to be remembered, as was pointed out by my esteemed friend Mr. W. C. Wordsworth at the time of the last budget, that while we talk of Co-operative Societies that it is co-operation and not non-co-operation which should be offered. You ask the State to help you with money; the State comes forward and helps you, and it has to be remembered that money is given to the society by way of loan, and not as charity, and next morning you start non-co-operation by refusing to pay it back. There is no power given by these Acts to the department, much less to the officer in charge by which we can compel the proper observance of the instructions that are given in this connection.

Now, Sir, it has been said that some of the provincial Acts have been our guide and the honourable member has specifically referred to clause 38 where we have indicated that the State would stand guarantee for the principal and the interest on debentures and he has said that we have taken it from the Bombay Act. Might I point out to him that no other province in India has any measure of any kind by which the State can guarantee for principal and interest on debentures? They have only indicated that they can stand guarantee for the interest and not for the principal, excepting in connection with the Land Mortgage

Banks. I submit, therefore, with all humility that this Bill is a distinct improvement upon all provincial enactments. It comes forward to help you with finance and even by the State standing guarantee for the debentures that will be floated by the Co-operative Societies. So it follows, as a matter of course, that power should be given to the State whereby they can enforce the strict observance of the rules, so that no breach is committed.

Now, Sir, with regard to the little bit of laxity that was indulged in by my friend Dr. Nalinaksha Sanyal, I would only say that he may indulge in his usual way of abusing anybody and everybody. Let him have this pleasure by all means. But I do not think I shall be justified, holding the position I do, to refute all sorts of abuses that have been showered on us, but if I had the time and the proper forum I would have shown that all his information are ill-founded and most of them absolutely wrong and incorrect. With regard to the particular thing he has said, namely, that a certain officer of the Co-operative Department could not spell the word "Auditor," I may tell him that he is no officer of the department, he is a stranger who came to see the personal assistant to the Registrar of the Co-operative Societies, and that he is nobody in the department at all.

With regard to the defect in the internal management referred to by Dr. Nalinaksha Sanyal and Mr. Sibnath Banerjee, namely, that there was no separate audit staff, I had occasion to mention the subject categorically on the last two occasions when I presented my demand under this head of the budget, and I pointed out that this was immediately necessary.

I may point out to the House again that we are short of officers at the present moment. But we are going to have a large number of officers who will have a proper training. Some of the officers are already undergoing training, and when they come out, they will do the work in a suitable way when we hope that audit will be separated from general supervision. I mentioned in my first budget speech that it is essential for the good working of the department that audit should be separated, and I am taking steps in this direction. (Dr. NALINAKSHA SANYAL: Many things have been said and promised but nothing is done actually.) I hope Dr. Sanyal need not be restive on this occasion.

In regard to one or two cases of defalcation which Dr. Sanyal and Mr. Banerjee mentioned in the course of their speeches, one is with regard to the defalcation of the Hooghly Central Bank. In this case the defalcation was detected by my officer and nobody else. It could not be detected earlier, because we are suffering from a lack of officers and we have no direct control over non-officials.

With regard to the Howrah Central Bank, Mr. Sibnath Banerjee knows very well that the business there was closed down long ago.

If the Secretary of the Bank had died, I do not think any human agency has any control over the matter. I think I have answered all the points raised by my friends (Dr. NALINAKSHA SANYAL: What about the bank in the southern Calcutta?) I refuse to be cross-examined. I am only meeting the objections that have been raised by my friends who moved motions for circulation. I submit that no ground whatsoever has been made out for a motion of this nature. From a resumé of the events that I have narrated I have shown that all possible measures have been taken to consult the opinion of those who are interested in the movement and who are in a position to give us valuable advice in this direction. In point of fact, I have had occasion to meet the Directors of no less than 19 Central Banks of this province. Of these at least 10 to 12 Central Banks were definitely of opinion that more stringent measures should be adopted. My friend, Mr. Sibnath Banerjee, read out some extracts from the papers and from the report of a meeting—the report of a meeting which was presided over by Mr. Santosh Kumar Basu——(MR. SANTOSH KUMAR BASU: As the Hon'ble Minister is referring to me, may I have your permission to reply? The Hon'ble Minister is taking advantage of my position that I have no right of reply.) May I know how many persons attended that meeting?

This being the position, I would respectfully ask the House to reject all these motions for circulation and the House will be good enough to accept my main motion for reference of the Bill to a Select Committee.

Mr. SPEAKER: I think it would be convenient if I divide the motions into two groups. First of all is the group about circulation for eliciting public opinion, and the other group is for reference to Select Committee. I find that all the motions of the first group agree on the point of asking for circulation; but the dates differ. So I think it would be convenient, if the House has no objection, if I take up the motion for circulation to elicit public opinion first.

Dr. NALINAKSHA SANYAL: Before you take up the motions, may we obtain your ruling regarding the compromise proposal put forward by the Hon'ble the Chief Minister, namely, the proposal for sending the Bill to a Select Committee with definite instructions that the Select Committee will obtain public opinion by the usual method of eliciting public opinion?

Mr. SPEAKER: As regards that, if the House accepts reference to the Select Committee then it automatically accepts the motion for sending it to the Select Committee. The Select Committee is fully responsible as to the manner in which they will discuss the provisions

and if, necessary, they are fully entitled to ask expert opinion and advice and, if necessary, opinion from such persons and such witnesses as they think necessary. But they cannot go beyond the scope of the Bill itself which will be against the decision of the House which has accepted the principle of the Bill. I would, therefore, first put the motion before the House which is common to all the amendments, namely, that the Bill be circulated for the purpose of eliciting public opinion thereon. If this motion is carried, then the question about the date will arise.

The question before the House is that the Bengal Co-operative Societies Bill, 1938, be circulated for the purpose of eliciting public opinion thereon.

The motion was then put and lost.

Mr. SPEAKER: As the principal amendment is lost, the other motions fall through.

Now I come to the amendment of Mr. Dhirendra Nath Datta.

The question before the House is that for the words "as early as possible" in the third line from the end, the figures and words "by the 31st August, 1938," be substituted.

The motion was then put and lost.

The question before the House is that after the name of Mr. Syed Abdul Majid, the following name be inserted, namely—

Maulvi Shahed Ali.

The motion was then put and lost.

The question before the House is that after the name of Mr. Syed Abdul Majid, the following names be inserted, namely—

(1) Mr. Surendra Nath Biswas,

(2) Dr. Nalinaksha Sanyal, and

(3) Mr. Sibnath Banerjee.

The motion was then put and lost.

The question before the House is that the Bengal Co-operative Societies Bill, 1938, be referred to a Select Committee consisting of—

(1) Mr. Satyapriya Banerji,

(2) Mr. Surendra Mohan Moitra,

(3) Mr. Abdul Bari,

(4) Khan Bahadur A. F. M. Abdur Rahman,

(5) Maulvi Abdul Latif Biswas,

(6) Maulvi Azhar Ali,

(7) Maulvi Md. Hasanuzzaman,

(8) Mr. Fazlur Rahman (Dacca University),

(9) Khan Sahib Maulvi Syed Muhammed Afzal,

(10) Mr. W. C. Wordsworth,

(11) Mr. L. M. Crosfeld,

(12) Mr. Anukul Chandra Das,

(13) Babu Kshetra Nath Singha,

(14) Rai Jogesh Chandra Sen Bahadur,

(15) Mr. M. Shamsuddin Ahmed,

(16) Mr. Syed Abdul Majid, and

(17) the mover,

with instruction to submit their report as early as possible, the number of members whose presence shall be necessary to constitute a quorum shall be five.

The motion was then put and agreed to.

Mr. SPEAKER: I might announce that the supplementary demands will be taken up on Wednesday the 10th and Thursday the 11th August, 1938. There will be no sitting of the Assembly to-morrow.

Adjournment.

The House was then adjourned till 3-45 p.m., on Friday, the 5th August, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 5th August, 1938, at 3-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 10 Hon'ble Ministers and 224 members.

Arrangements for voting on the 8th and 9th August, 1938.

Mr. SPEAKER: Before the proceedings commence, I would like to refer to just two matters—one is the arrangement for division on Monday and Tuesday For these days at least the Opposition Division will be to my left and the Ministerial Division will be to my right. The result will be that those who will be in favour of the motion will go straight from their seats to the lobby nearest to them and those who will oppose will go to their side of the lobby. If the experiment is successful, I will consider about this arrangement being made permanent.

The next is that we have a tremendous rush for visitors' tickets, and I hope members will have sympathy for me in my endeavour to administer justice in the matter of issuing visitors' tickets. What I have decided, and I think this will meet the needs of the occasion—is to issue, as far as possible, one ticket to each member, save and except in very exceptional cases and so far as the leaders are concerned. I find that with the accommodation we have, it is not possible even to provide the minimum accommodation that I have in mind. And we are trying to increase the accommodation by taking away the heavy chairs and replacing them by Venesta chairs.

We have also arranged for installing microphones so that the debates may be heard from all corners. But I do not know how far microphones will work successfully.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, with regard to visitors' tickets high hopes have been raised, in the meantime, in the minds of those who are expecting a number of tickets, but they might be disappointed. If a particular member has applied for more than one ticket, how are you going to select the person for whom only a ticket will be issued?

Mr. SPEAKER: I will give the member concerned the option to select the person for whom he requires a ticket. The applications will be handed over to members for making this selection.

There is just another matter about which I would make an appeal to the members with a view to control, as far as possible, the congestion in the lobby. It is very inconvenient to the members that the lounge and the lobby are oftentimes filled with visitors and that outsiders are brought in, in spite of the fact that they are not entitled to be there. I would appeal to the members that they will co-operate with me in seeing that no visitor is allowed into the lounge and that they will kindly ask the visitors to come to the western corridor and to go straight from there to the gallery. Members may take them from the gallery to the refreshment room direct but the visitors will not be allowed to come to any other part of the House. I am also making arrangements to have a sort of enclosed compartment in the western corridor as soon as possible, where the members can have an opportunity of meeting the visitors, and this will be done some time next week. So far as the next two days are concerned, I hope members will help me in making the best possible arrangement In case there is any difficulty, I hope the members will realise that the good name of the House is as much the concern of mine as theirs and that they may kindly share the responsibility with me.

Dr. NALINAKSHA SANYAL: What about the Party rooms, Sir? Are you going to exclude visitors from there also?

Mr. SPEAKER: I think, visitors should not be allowed to have access to the Party rooms But if there is any special occasion such as when a deputation is coming, certainly the matter can be arranged beforehand. I can quite understand that in an important debate an important party might have to receive a deputation from certain classes of people, but subject to that, I hope Party rooms will remain open for Party members only.

Khan Bahadur Maulvi FAZLUL QUADIR: Mr. Speaker, Sir, may I draw your attention to the fact that the printed "Ayes" and "Noes" cards on the door tops should be removed from their respective places to the opposite side?

Mr. SPEAKER: Yes, we shall see to that.

Maulvi MUHAMMAD ISRAIL: Will the visitors be allowed to offer their prayer in the prayer room?

Mr. SPEAKER: We are making arrangements for the visitors to offer their prayer. They will go straight to the special room where our office staff offer their prayer.

Mr. SPEAKER: Starred question No. 25.

Dr. NALINAKSHA SANYAL: May we not take up the unstarred questions of three days back first, as it appears that if the starred questions of a later date are given preference, the unstarred questions will never come up?

Mr. SPEAKER: We finished part of the starred questions for the 3rd of August on that date, but the allotted time was over in the middle of it. So I will take up the rest of the starred questions of that day first and then the pervious day's unstarred questions.

STARRED QUESTIONS

(to which oral answers were given)

Agricultural distress in North Bengal.

***25. Khan Bahadur MOHAMMED ALI:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether he is aware that there is an acute agricultural distress prevailing in some parts of North Bengal, specially in Rangpur, Bogra and Pabna, due to the early onset of rains?

(*b*) If so, will the Hon'ble Minister be pleased to state what action does the Government propose taking to ameliorate the condition of the people of the affected areas?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy: (*a*) Reports have been received that there is distress in the areas mentioned on account of damage done to crops by the early onset of rains.

(*b*) Agricultural loans and gratuitous relief are being granted in the affected areas. Test works will also be opened wherever necessary.

Mr. M. ASHRAFALI: Is the Hon'ble Minister aware that neither agricultural loans nor gratuitous relief are being given for damages to crops as a result of the early onset of the rains in the subdivision of Nator in Rajshahi district?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: So far as I can remember, agricultural loans have been given in the district of Rajshahi. Whether it has been actually distributed in the subdivision of Nator or not, I am not in a position to say.

Mr. M. ASHRAFALI: How much?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I cannot say what the exact amount is, but I can assure the honourable member that it is a considerable amount.

Mr. SURENDRA MOHAN MAITRA: Will the Hon'ble Minister kindly enquire into the allegation made by the Hon'ble the Deputy Speaker?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Most gladly.

Khan Bahadur MUHAMMAD ALI: What is the amount allotted for Bogra?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have not the figures with me here and I ask for notice.

Khan Bahadur MUHAMMAD ALI: Will the Hon'ble Minister be pleased to state what is the nature of the test relief work proposed to be taken up?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The nature of test relief work will be limited to jute-spinning, jungle-cutting and paddy-husking because earth work is not possible during the rains.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state if any relief, by way of agricultural loan or gratuitous relief, has been given to Serajganj up to now?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. ABDULLA-AL MAHMOOD: What amount by way of gratuitous relief has been given to Serajganj?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether in the administration of gratuitous relief co-operation of non-official organizations like Krishak Samities is being invited?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, the co-operation of non-official organizations is being sought for.

Mr. NIHARENDU DUTTA MAZUMDAR: Local Krishak Samities?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Krishak Samities are not excepted.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state who is the authority that will ascertain whether test work will be necessary or not?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The Collector in consultation and co-operation with the Chairman of the District Board.

Flood in Jessore.

*26. **Mr. ATUL KRISHNA GHOSE:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that a disastrous flood has passed through various parts of the district of Jessore;

(*ii*) that all the crops have been washed away creating a havoc;

(*iii*) that the District Magistrate has issued an appeal to the public to help the distressed people;

(*iv*) that thousands of people are passing through critical times; and

(*v*) that the money-landers have refused to lend money to the peasants?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, do the Government propose taking to save the peasants?

(*c*) Are the Government considering the desirability of—

(*i*) sanctioning two lakhs of rupees from the Famine Insurance Fund to save the flood-stricken people; and

(*ii*) appointing a Committee to ascertain affected areas where all the crops have been washed away with a view to foregoing the whole revenue or a part thereof as the circumstances demand?

(*d*) If the answer to (*c*) (*ii*) is in the affirmative, will it be feasible for the Government to appoint such a Committee?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: *(a) (i)* Owing to excessive rainfall in the district during the month of May, 1938, the entire countryside got water-logged for some time.

(ii) According to the estimate of the District Officer about 42 per cent. of the crops have been damaged.

(iii) Yes.

(iv) A large number of people have been adversely affected, but damage to their homesteads is negligible and the stock of food-grains is unimpaired.

(v) As in most other districts there is some hesitation on the part of *mahajans* to lend further sums of money to any one.

(b) Loans and gratuitous relief are being given where necessary.

(c) (i) Up till the 13th July, 1938, Rs. 50,000 have been sanctioned for agricultural loans, Rs. 5,000 for gratuitous relief and further sums will be sanctioned as occasion arises.

(ii) No. Under rules 188, 190 and 193 of the Tauzi Manual such remissions can be granted without the formality suggested.

(d) Does not arise.

I may add after *(c) (i)* of the printed answer that further amounts of Rs. 25,000 for agricultural loan and Rs. 5,000 for gratuitous relief were sanctioned yesterday.

Mr. ATUL KRISHNA GHOSE: Besides the amount given in answer *(c) (i)*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes.

Mr. ATUL KRISHNA GHOSE: With reference to reply *(a) (ii)*, will the Hon'ble Minister be pleased to state what will be the approximate valuation of the 42 per cent. crops that have been damaged according to his official report?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, the Government did not make any valuation.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether or not Rs. 50,000 for agricultural loans and Rs. 5,000 for gratuitous relief and a further sum of Rs. 25,000 is after all too inadequate for a district which has suffered a damage to the extent of 42 per cent. of its total production?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, agricultural loan is to be distributed as occasion arises. I do not think that the agriculturists are anxious to take the whole loan at one time, because agricultural loan is usually distributed for helping them to carry on cultivation. When they will be in need of money they will come forward for loan and Government will be very glad to advance any amount that they may require.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether it is a fact or not that several thousands of people approached the Subdivisional Officer of Narail subdivision and plainly told him "হুজুর আমাদের খাবার দিন, নয়ত আমরা হাট লুট করব।"

Under the circumstances, does the Government think it proper to sit idle and allow this sort of thing to prevail?

Mr. SPEAKER: The latter part of the question is not in order.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I repudiate the charge that Government are sitting idle. In fact, Government have been doing all that is humanly possible in the present circumstances to do. Government have no information regarding the allegation made by the honourable member that thousands of people came and declared that they were prepared to loot the hats. I went to the Narail subdivision, I met thousands of people there, and found them very peaceful, very honest, very anxious to be supported by Government and they have got every confidence in Government.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what is the amount of loan that is being given to every individual agriculturist?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It depends on the amount required by each individual. There is no amount fixed.

Mr. SURENDRA NATH BISWAS: What is the maximum and the minimum of the amount granted?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It varies from district to district; it varies from subdivision to subdivision, from village to village and from hamlet to hamlet according to the needs of the people.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to give us the figures as regards this particular district of Jessore to which the question relates as to what are the maximum and minimum of the amounts granted?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That has to be worked out. It has not yet been worked out, because Government feel that there is no necessity to work it out. I may repeat, Sir, that Government are prepared to lend whatever amount may be required by an individual or by a body of individuals as agricultural loan.

Mr. RASIK LAL BISWAS: As the agricultural loans are meant only to help the agriculturists in their work, will the Hon'ble Minister be pleased to state how the Government propose to advance loans to save them from starvation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Will the hon'ble member please repeat his question?

Mr. RASIK LAL BISWAS: আমার প্রশ্ন হচ্ছে agricultural loans agriculture এর সাহায্য করবার জন্য। যেখানে লোকেরা না খেয়ে মোরছে তাদের খেয়ে বাঁচবার জন্য অন্য রকম সাহায্য না কোরে Agricultural loan দেওয়া কি ঠিক হচ্ছে?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Those who are in need of money for food will be given gratuitous relief for the time being.

Babu KSHETRA NATH SINGHA: Is the Hon'ble Minister aware that the agricultural loans are being distributed only to the voters of the Union Boards and to nobody else?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware that daily labourers in the District of Jessore are working nowadays at 2 annas per day? And is it not sufficient indication that their families are starving?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is an inference which the hon'ble member draws. Government have decided to open test relief work, and if there are a sufficient number of labourers there, Government will be in a position to judge whether there is actual distress or not.

Collection of rents by certificates.

*27. **Maulvi ABU HOSSAIN SARKAR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the promised circular or notification for suspending collection of rent for two years by certificates has been issued to the officers concerned?

(*b*) If so, what is the date of its issue?

(*c*) Whether it is a fact that the Nawab Bahadur of Murshidabad's Estate in the district of Rangpur is still collecting rent by certificates?

(*d*) If so, why?

(*e*) Whether it is a fact that some other estates in the same district are still collecting rents by certificates under the Bengal Tenancy Act?

(*f*) If so, why?

(*g*) Whether it is a fact that Government are collecting by certificates rents from the tenants of some estates after attaching them under the Cess Act?

(*h*) If so, why?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) 9th March, 1938.

(*c*) Yes.

(*d*) Because there is a statutory obligation under section 19 (*1*) of the Murshidabad Estate Administration Act, 1933 (which is an Act of the Central Legislature), to recover rent, etc., as public demands.

(*e*) and (*f*) Yes, because the orders suspending the use of certificate procedure apply only to Government and Court of Wards' estates and not to estates like these enjoying the privilege under section 158A, Bengal Tenancy Act.

(*g*) and (*h*) These estates neither belong to Government nor are under the Court's management and consequently, as in the case of estates enjoying the privilege of certificate procedure under section 158A, Bengal Tenancy Act, rents and cesses are being realised by such procedure. The recovery of arrear cess due to District Boards is considered very necessary as many of them would be unable to function if their cess income is left in arrears indefinitely.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state why this circular of 9th March, 1938, was restricted only to the Court of Wards and the Khasmahal estates?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, the privilege enjoyed by private landlords under section 158A is a statutory privilege and by an executive circular Government cannot withdraw that privilege. It is for the Legislature to repeal the section.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state whether or not they gave us a general assurance during the last session that all certificates will be suspended for two years?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, whatever assurance Government gave, Government fulfilled to the letter.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state why this exception was made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No exception was made. I hope the hon'ble member will kindly try to understand what I say. Section 158A was placed on the Statute Book by the Legislature. So Government had no right whatsoever to withdraw that statutory right by executive orders.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state whether the Murshidabad Estate Act applies only to the estates then existing and not to the estates subsequently acquired?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That applies, I believe, Sir, to all estates.

Mr. SPEAKER: That is a question of legal opinion.

Mr. P. BANERJI: Will the Hon'ble Minister be pleased to state whether he did not consider it necessary to bring in a Bill just to stop the certificate of the zemindars?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government did bring in a Bill and Chapter XIII of the Bengal Tenancy Act (Amendment) Bill, has been abolished, and when that Bill gets the assent the power will be withdrawn.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state whether it is a fact that the Nawab Bahadur of Murshidabad purchased his properties in the district of Rangpur from the Raja Bahadur of Kakina?

Mr. SPEAKER: That question does not arise.

Report of Mr. Stuart as to the investigation into the various grievances of the khas mahal areas of certain districts.

*28. **Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether Mr. Stuart, I.C.S., who was appointed as a Special Officer, to investigate into the various grievances of the *khas mahal* areas of Noakhali, Bakarganj, Chittagong and other districts, has completed his work and submitted any report?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government have decided to take action on the report at an early date?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) He has completed his work and submitted his report to the Board of Revenue at the end of June. The report is under the consideration of the Board of Revenue and has not yet reached Government.

(*b*) Does not arise.

Process-servers of Criminal Courts.

*29. **Mr. DHANANJOY ROY:** (*a*) With reference to the reply to clause (*b*) of starred question No. 1 of the Assembly of the 29th July, 1937, will the Hon'ble Minister in charge of the Revenue Department be pleased to state if the Government have decided the matter?

(*b*) If the answer to (*a*) is in the affirmative, what have they decided?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) The matter is now under discussion with local officers.

(*b*) Does not arise.

Appointment of the members of the Revenue Commission.

*30. **Mr. MAQBUL HOSAIN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether members of the proposed Revenue Commission have been appointed?

(*b*) If the answer to (*a*) is in the affirmative, what are the names of those members?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) Does not arise.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state when does the Government intend to appoint the members of the Revenue Commission?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is very difficult to give any exact date, but probably by the end of August or the beginning of September.

Mr. SANTOSH KUMAR BASU: If the intention of Government be to appoint members of the Revenue Commission by the end of August, is this Assembly to understand that Government have not yet made up their mind with regard to the appointment of any of the members of the Land Revenue Commission?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. They have not yet made up their mind with regard to the names of any of the members.

Mr. SANTOSH KUMAR BASU: Are any names being considered now?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the reason for the delay in selecting the persons and announcing their names?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government do not consider it a delay.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many months have elapsed from the time Government came to a decision to now in this respect?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what time has elapsed between the time when an announcement was made on the floor of this House and now?

Mr. SPEAKER: That is an information available to you also.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Deprovincialising Calcutta Police.

18. Maulvi MUHAMMAD ISRAIL: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state what are the actions taken by the Government in pursuance of the assurance given by them during the last budget session for deprovincialising Calcutta Police and throwing the burden of their upkeep on the Calcutta Corporation?

(*b*) If the answer to clause (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Will the Hon'ble Minister be pleased to state the latest date on which the provincial revenues are expected to be exempt from this charge?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*c*) The details are under examination by Government.

(*b*) Does not arise.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether the examination by Government will be completed before the next budget?

The Hon'ble Khwaja Sir NAZIMUDDIN: I hope so.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state the name of the officer who is examining the details?

The Hon'ble Khwaja Sir NAZIMUDDIN: Mr. Blandy.

Kathalia police-station, Bakarganj.

19. Mr. UPENDRANATH EDBAR: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether it is a fact that the Kathalia police-station, in the district of Bakarganj, is going to be abolished?

(*b*) If so, why?

(*c*) Whether it is a fact that petitions, signed by the numerous people of the locality, have been submitted to the proper authority for the retention of the said thana?

(*d*) Whether a final decision has been arrived at, by the department either for proposed abolition or for retention?

The Hon'ble Khwaja Sir NAZIMUDDIN: The hon'ble member is referred to the answer given to starred question No. 134, on 3rd March, 1938.

Officers taking illegal gratifications during 1936 and 1937.

20. Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister in charge of the Home (Appointment) Department be pleased to state—

(*a*) the names with designations of all such officers in Bengal as were detected making extortions or taking illegal gratifications during the two years 1936 and 1937; and

(*b*) the names with designations of those found guilty of such crimes by a commission of enquiry or otherwise during the said two years?

The Hon'ble Khwaja Sir NAZIMUDDIN: Information is being collected but it will take some time to get a complete list. I hope to be able to answer the question during the course of the session.

Acreage of land under jute in the Murshidabad district.

21. Maulvi ABDUL BARI: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state how many acres of jute have been sown this year in the district of Murshidabad?

(*b*) Is it a fact that jute and paddy in the north-eastern portion of Murshidabad have been completely destroyed by excessive rain?

(*c*) If so, what steps do Government intend taking to meet with the situation?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) 48,900 acres.

(*b*) *Aus* paddy and jute have been partially damaged in the low-land areas of the north-eastern part of the district by early floods.

(*c*) Detailed examination in proceeding.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

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(*b*) If the answer to clause (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Will the Hon'ble Minister be pleased to state the latest date on which the provincial revenues are expected to be exempt from this charge?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*c*) The details are under examination by Government.

(*b*) Does not arise.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether the examination by Government will be completed before the next budget?

The Hon'ble Khwaja Sir NAZIMUDDIN: I hope so.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state the name of the officer who is examining the details?

The Hon'ble Khwaja Sir NAZIMUDDIN: Mr. Blandy.

Kathalia police-station, Bakarganj.

19. Mr. UPENDRANATH EDBAR: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether it is a fact that the Kathalia police-station, in the district of Bakarganj, is going to be abolished?

(*b*) If so, why?

(*c*) Whether it is a fact that petitions, signed by the numerous people of the locality, have been submitted to the proper authority for the retention of the said thana?

Dr. NALINAKSHA SANYAL: Sir, I want to know what is the trend of jute prices.

Mr. SPEAKER: You want to know the steps taken by Government on jute prices.

Dr. NALINAKSHA SANYAL: Government claim that the prices have gone on increasing, and I would like to point out that on the contrary in spite of the reduced production and loss of crops the prices have not increased. That is the question that I was going to ask.

Mr. SPEAKER: I am afraid that question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that in spite of the present loss of jute crops prices have not increased in the rural areas as a result of Government measures?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already answered this question in the Assembly about five days ago.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state with reference to answer (c), when the experiment of the scheme for compulsory restriction will commence?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: In about a fortnight

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state what is the effect of this jute propaganda so far as the area under jute is concerned? Has there been any decrease?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No.

Mr. SPEAKER: I do not know whether the Hon'ble Minister has grasped the question. That is why I want to make it clear. The question was whether the restriction measures taken by Government had any appreciable effect on the restriction of the area.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I have already replied that the area has decreased.

Mr. NIHARENDU DUTTA MAZUMDAR: Ministers are not bound to make intelligent answers.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I object to that remark.

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state the average amount spent per year for this propaganda of voluntary restriction of jute?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: About Rs. 50,000.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government has taken any other step than the steps mentioned in answer (*a*), with regard to the price of jute? The original question was: "Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what steps the Government have taken up to date for ensuring a fair price of jute?" and the answer was: "Government have been carrying on propaganda for restriction of jute cultivation on a voluntary basis since 1924". My question is: Will the Hon'ble Minister please state whether Government has taken any other step to raise the price this year?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: They have appointed a Jute Committee.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister please state whether the Jute Committee has been asked to report by 31st March, 1939?

Mr. SPEAKER: That is a matter of public record. I disallow your question.

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state whether in 1936-37 there was an increase in the area under jute to the extent of seven lakhs and odd?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have got no information about that.

Dr. H. C. MUKHERJI: Is he aware that this fact is mentioned in the departmental note?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the Jute Committee to which he has referred has been asked to take steps to raise the price of jute this season?

Mr. SPEAKER: I have already said that so far as appointing a Jute Committee is concerned, the terms of reference are not such as require an eliciting of information. That is a matter of public record, and you cannot ask what are the terms of reference. If you are not satisfied with that, that is another matter.

Mr. JOGESH CHANDRA GUPTA: On a point of information, Sir. The Hon'ble Chief Minister while talking to a lady is turning his back to the Chair. Is he in order?

Mr. SPEAKER: I have not seen it.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the appointment of the Jute Committee is likely to raise the price of jute this season?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is not possible to say at the present moment.

Dr. H. K. MUKHERJI: Is the Hon'ble Minister aware that the percentage of area under jute has increased to the extent of 13·73 in the year 1936-37?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Dr. H. C. MUKHERJI: Is the Hon'ble Minister aware that this fact is mentioned in the departmental report?

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. You have ruled that when there is something in the cognizance of a particular member, he should not ask questions with reference to that. Here Dr. Mukherji is proffering knowledge that is not known to the Hon'ble Minister.

Mr. SPEAKER: There is just a distinction between the two. What is published in the *Calcutta Gazette* is one thing and what is contained in the departmental report is quite another. It may be that the departmental report is not the Government report. Whether he is speaking from the administrative report or from the departmental report is not known.

Maulvi TAMIZUDDIN KHAN: With reference to answer (*c*), will the Hon'ble Minister be pleased to state how long will it take to collect the census of jute as a preliminary step towards introducing compulsory restriction?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot say.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what is the actual price received by the cultivators as distinct from the price of jute landed in Calcutta?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state if Government contemplate introducing compulsory restriction by legislation?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government are awaiting the report of the Jute Committee.

Jute census.

23. Maulvi MUHAMMAD ISRAIL: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether the jute census adumbrated in the budget speech of the Finance Minister as well as in the speech of the Minister in charge of Agriculture and Industries, is complete?

(*b*) If the answer to clause (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*c*) What steps are proposed to be taken on the result of such census?

(*d*) What is the agency engaged for the census?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) and (*b*) A jute census for the whole province of Bengal would be a huge undertaking. A census by complete enumeration of individual plots has been found impracticable, partly because such a complete enumeration would involve an unmanageable army of enumerators and a prohibitive expenditure, and partly because jute is an extremely short crop from sowing to reaping. With funds provided by the Indian Central Jute Committee my department last year experimented on the technique of a census by the method of random sampling, which method

seems, according to the opinion of experts, to be the only method which is at the same time practicable and likely to yield accurate results. But further experiment is necessary before a correct estimation and assessment is possible of the provincial efficacy of the method, i.e., of the method as applied to the whole province. It has therefore been decided to carry on further experiments during the current year, the cost of which (approximately half a lakh of rupees) will be met half by Government and half by the Indian Central Jute Committee. The regular census work will commence on the basis of these experiments when completed, provided that the experiments are successful in evolving a satisfactory method of taking a census.

(*c*) The result of the census will, it is hoped, give a correct idea of the area under jute, and thus make it possible to consider compulsory restriction and the fixation of a minimum price of jute as practical propositions. The census will also serve to improve the yearly jute forecasts, which forecasts are an important factor in determining the price of jute.

(*d*) The experiments now in progress are being carried on by an expert staff under the direction of an *ad hoc* committee appointed by the Indian Central Jute Committee in consultation with my department and consisting of the following members:—

President.

Mr. P. S. MacDonald, Vice-President of the Indian Central Jute Committee.

Members.

Director of Agriculture, Bengal.

Secretary to the Government of Bengal, Agriculture and Industries Department.

Mr. G. C. Limboussi (of Messrs. Ralli Bros.)

Prof. P. C. Mahalanobis.

Director of Land Records, Bengal.

Mr. P. N. Sen (non-official agriculturist).

Mr. A. P. Cliff, Secretary, Indian Central Jute Committee (*Member and Secretary*).

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he has taken any expert opinion about the applicability of the system or method of random sampling in such census?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to mention the names of the experts?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is not a fact that statisticians consider that in cases where there is no regularity of cultivation over large areas, random sampling will not be of any use?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That is a matter of opinion.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that random sampling can be of help only in cases where there is a systematic and regular production in a particular area?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That also is a matter of opinion.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state if Government are trying to expedite the jute census so that compulsory jute restriction may be immediately introduced?

Mr. SPEAKER: The first part of your question is in order but not the second part.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government are trying to expedite.

Expenditure of Agriculture Department and preparation of its Budget.

24. Maulana MD. MANIRUZZAMAN ISLAMABADI: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that the present Agricultural budget is prepared in such a way as to spend almost the whole amount for the upkeep of the employees of the department?

(*b*) Does the Hon'ble Minister contemplate spending at least one-third of the total amount of money of the Agricultural budget for irrigation, supply of pasturage, liberal arrangements for agricultural loan, prevention of cattle epidemic and free distribution of improved agricultural seeds for the improvement of agriculture?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) A substantial portion of the budget of the Agriculture Department must necessarily be earmarked for expenses on account of staff. It should, however, be remembered that the staff is employed in finding out and evolving new and better methods of agriculture and new and better varieties of crops suitable for the soil in the different parts of the province and also in demonstrating the use of such methods and the cultivation of such crops to the people. The amount spent on staff is thus spent for the improvement of agriculture and for the benefit of the people.

(*b*) Irrigation and agriculturists' loans are the concern of the Communication and Works (Irrigation) Department and the Revenue Department, respectively, and no money out of the Agricultural budget can be spent under those heads. As regards supply of pasturage, in view of the transformation of much pasture-land in Bengal into arable on account of the increase of the agricultural population as well as in view of the fact that the quality of grass in pasture-lands in the province is not sufficient to supply a maintenance ration even when an animal is fed to capacity, propaganda for the extension of pasturage has not been found to be of utility and, instead, I have been encouraging the cultivation of Napier grass, which grass can be grown in the land around every homestead land at present often not utilised for any purpose. It has been found that one acre of Napier grass provides sufficient fodder to keep ten animals in good condition throughout the year whereas an acre of pasture is hardly sufficient to keep one animal in good condition for the same period. My department is therefore carrying on intensive propaganda and local demonstration on Napier grass instead of endeavouring extension of pasturage. The prevention of epidemics among cattle and the distribution of improved agricultural seeds form an important part of my policy and every year large amounts are spent from the Veterinary and Agricultural budgets under these heads. The entire itinerant staff of the Veterinary Department is employed on the prevention of cattle epidemics. In 1936 a Goat Tissue Vaccine Section was established on a permanent basis. As the vaccine prepared at the depot at Beliaghata (near Calcutta) loses much of its efficacy by the time it reaches the districts of Chittagong and the Chittagong Hill Tracts, sanction has recently been given for a branch depôt at Chittagong, which will serve the remoter East Bengal districts. In addition to the normal distribution of improved seeds, I have provided funds in the current year's budget for subsidising private seed stores at suitable centres with the object of encouraging enterprise in the collection and distribution of improved seeds.

Dr. SURESH CHANDRA BANERJEE was going to put a supplementary question in Bengali.

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. Is the honourable member entitled to speak in Bengali?

Mr. SPEAKER: I have not yet decided the general principle which I will follow in this respect. But it seems you cannot always be too rigid in a matter like this. It is difficult not to enter into the question of individuals. After hearing a debate, if I am satisfied that a member can speak English quite well, I will certainly insist on his speaking in English. On the other hand, if I am satisfied that he cannot speak English well, I will allow him to speak in Bengali.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I reply in Urdu?

Mr. SPEAKER: I am quite prepared to allow you to do so if you plead ignorance of English.

Mr. JOGESH CHANDRA GUPTA: I think I ought to make it clear that this side of the House considered this question and having regard to the fact that the rule is that if one is not sufficiently acquainted with the English language—and none of the members of this House is ashamed to say that English is not his mother tongue, and many of them do not claim to be sufficiently acquainted with English, at least all of them feel that they are much better acquainted with their mother tongue——

Mr. SPEAKER: I think we had better go on with the supplementary questions now.

Dr. SURESH CHANDRA BANERJEE:

মাননীয় মন্ত্রী মহাশয়, অনুগ্রহ কোরে বোলবেন কি যে এইরূপ প্রচারের ফলে জনগণের বাড়ীর আশে পাশে খালি জমিতে Napier ঘাসের চাষ বৃদ্ধি পেয়েছে কি না?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As far as I have been given to understand, it is.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether it is a fact that on account of the heavy downpour this year, jute restriction in Bengal has been done voluntarily and a great economy has been caused and a heavy amount in the budget has been left unspent?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA was going to put a supplementary question in Bengali.

Mr. SPEAKER: Mr. Datta, you must speak in English.

Mr. DHIRENDRA NATH DATTA:

মাননীয় সভাপতি মহাশয়, আমার বক্তব্য আমি আমার নিজের ভাষায় বলবো। গত দুই অধিবেশনে আমি আমার বক্তব্য ইংরেজিতে বোলতে চেষ্টা কোরেছি; কিন্তু আমার মনে হয় আমার মনোভাব ইংরেজিতে না বোলে যদি বাংলায় বোলতাম তাহলে আরো ভালো কোরে প্রকাশ কোরতে পারতাম।

Mr. SPEAKER: This is a matter which should be left to my discretion. I am perfectly willing to give you the fullest latitude, but when I am satisfied that you can speak in English satisfactorily, I cannot allow you to speak in Bengali. I must act up to the provisions of the Government of India Act, as they are at present, in this respect and until the section of the Government of India Act dealing with this matter is changed, I must use my discretion in deciding in which language a member shall speak.

Mr. NIHARENDU DUTTA MAZUMDAR: But you can stretch the interpretation of the section a bit.

Sj. NARENDRA NARAYAN CHAKRABARTY:

সভাপতি মহাশয়ের কাছে আমাদের নিবেদন হচ্ছে এই যে এ সম্বন্ধে সমস্ত ভারতবর্ষের মধ্যে যে পদ্ধতি—

Mr. SPEAKER: This matter is being discussed on an All-India basis.

Mr. DHIRENDRA NATH DATTA was again going to speak in Bengali.

Mr. SPEAKER: So long as you are in the profession to which you belong you have to speak in English and I think I shall have to rule that you are to speak here in English. I am definite on this point and it would not be possible to change my opinion unless I am satisfied that I am justified in doing so. I shall do my duty conscientiously and I would ask Mr. Dutta Mazumdar if this interpretation of the section is not the most liberal and the correct one.

Mr. DHIRENDRA NATH DATTA:

আমি অবশ্য ইংরেজিতে বোলতে বাধ্য হচ্ছি, কিন্তু আমার বিশ্বাস বাংলায় বোল্লে যে রকম মনের ভাব সহজে ব্যক্ত হতো ইংরেজিতে ততটা হবে না।

Is the Hon'ble Minister aware of the fact that the Publicity Officer is not required to carry on the demonstration and is not, therefore, entitled to get any allowance except beyond the radius of five miles?

The Hon'ble Nawab Khwaja HABIBULLAH. Bahadur, of Dacca: That is so

Dr. H. C. MUKHERJI: With reference to answer (a), Will the Hon'ble Minister be pleased to state what agency Government have created in order to bridge the gulf between the research workers and the actual cultivators so that the results of research may be carried to their doors?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government are appointing demonstrators for that purpose.

Dr. H. C. MUKHERJI: How many permanent demonstrators are there on the staff of the Agriculture Department?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Unfortunately I am not a walking encyclopaedia, and I want notice.

Mr. RASIK LAL BISWAS:

মন্ত্রী মহাশয় কি আমাদের জানাবেন যে এই সমস্ত demonstrator তাদের centre থেকে ৫ মাইলের বাইরে যাবার হুকুম নাই এবং সেই সেন্টার গুলিও subdivisional town এ অবস্থিত কি না?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: At present that is the rule which I have a mind to change.

Dr. H. C. MUKHERJI: Is it not a fact that there are about 50 demonstrators on the permanent staff and 40 on a temporary basis?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am afraid, I am not a walking encyclopaedia, and I ask for notice.

Plan for raising the price of jute.

25. Al-Hadj CYASUDDIN AHMED CHOUDHURY: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether Government have devised any plan for raising the price of jute this year?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Propaganda for the voluntary restriction of jute has now been carried on for many years and, it is believed, at least some degree of success has been achieved. Without some form of compulsory restriction of the production of raw jute, there is no possibility of fixing a minimum price. No practical method of compulsory restriction has so far been suggested by anyone. One indispensable preliminary would be a census of jute. Census by complete enumeration of plots would, however, be impracticable. It would be too big an undertaking since there are 70 lakhs of different plots under jute scattered among about 11 crores of plots under other crops. One particular difficulty lies in the fact that jute is an exceptionally short crop and allows barely two months for making a census. The organisation of a complete census is therefore a task which would require an army of enumerators several thousands in number and the cost would be prohibitive and the difficulty of managing such an army unsurmountable. I am therefore experimenting, in consultation with the Indian Central Jute Committee, in a method of random sample survey, which method appears the most promising, and the Indian Central Jute Committee have appointed a committee to conduct those experiments. This committee have started survey. Certain results have already emerged from the experiments.

Another difficulty in compulsory restriction lies in the fact that jute is cultivated not only in Bengal, but in Bihar, Assam and Orissa, so that the co-operation of the Governments of these three provinces is required in any scheme either of voluntary or compulsory restriction. I am endeavouring to secure the co-operation of the Governments of these three provinces.

I am also considering a scheme for the regulation of the marketing of jute in certain areas on a voluntary basis and I have prepared an Agricultural Produce Marketing Bill with the object of regulating the marketing of jute (as well as other agricultural produce), which I hope shortly to introduce before the Legislature.

I have also appointed a provincial jute committee to advise regarding questions relating to jute, particularly in regard to price and restriction.

Complaints against any of the nurses of Medical College Hospital.

26. Mr. RASIK LAL BISWAS: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state, if any Senior House Physician of the Calcutta Medical College Hospital made any complaint to the Superintendent of that hospital against any of the nurses since 1st April, 1937?

(*b*) If so, did the Superintendent enquire into the matter himself or had them enquired into by any competent person?

(c) Did the enquiring officer make any enquiry to the knowledge of the House Physician concerned?

(d) Did the Superintendent ever ask the House Physician concerned to prove his case?

(e) Will the Hon'ble Minister be pleased to lay on the table a copy of each of the complaints referred to above, with the report of enquiry, if any, and the final order of the Superintendent on each of them?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (a) A complaint was received during the period in question from the Senior House Surgeon (not House Physician) to the Officiating Professor of Clinical Surgery.

(b) An enquiry into the complaint was made by the Superintendent, Medical College Hospitals, as well as by the Secretary, the Senior Visiting Medical Officer and the Lady Superintendent of Nurses.

(c) and (d) Yes. The complainant officer was examined in the course of the enquiry.

(e) Copy of the complaint is laid on the table. No formal report of enquiry was drawn up. The complaint was withdrawn but the nurse concerned was warned by the Superintendent.

Copy of the complaint referred to in the answer to clause (e) of unstarred question No. 26.

To

THE SUPERINTENDENT,

Medical College Hospitals.

[Through the Professor of Clinical Surgery, Medical College, Calcutta.]

SIR,

I beg to bring to your notice the following.

1. I was making my evening round in the E. F. Ward, P. W. Hospital, last evening about 7-55 p.m. I had finished making two orders and I had left the medicine tickets on the central table with the idea of bringing them to the table in the E. F. Ward on my way back.

2. The night nurse on duty (Nurse McGregor) suddenly appeared and in front of all the patients shouted at me and in a very offensive and filthy tone addressed the following words, "Dr. Basu, if you do like this your orders are not going to be carried out. I am disgusted with you". This was so abrupt and so absolutely without provocation that I was dumbfounded. Here was a deliberate insult and a calculated piece of effrontery designed to lower me in the estimation of my patients. I left the ward in disgust and asked for the Night Sister to whom I reported the matter.

3. I consider that this behaviour has lowered me in the eyes of my patients—that my position as the Senior House Staff of one of the largest surgical units of the Hospital is at stake and that unless something is immediately done and steps be taken to prevent such occurrence in future—I am afraid—I cannot carry on my work. It was the duty of a nurse to accompany me in my round in the female ward or even in any ward. This was not done and instead insult was heaped on me.

Since then the nurse has offered me her apologies but I have not been able to accept them with regret. I do not want to be vindictive but I desire that an example be made of this occurrence. You will realise, Sir, how low I felt when in front of the patients—all educated—I was told by a nurse—that my orders are not to be carried out and that she is disgusted with me. The tone was so haughty and insulting that all I could do was to leave the ward

I remain,

SIR,

Your most obedient servant,

Sd. A. K. BASU,

Senior H. S. to the Professor of Clinical Surgery.

P. W. HOSPITAL:

2nd July, 1938.

Forwarded to the Principal. The nurses should always be respectful to the House Staff and courteous to them and this should never be allowed to happen.

Sd. P. N. CHATTERJEE.

2nd July, 1938.

To

THE SUPERINTENDENT,

Medical College Hospitals.

[Through the Professor of Clinical Surgery.]

SIR,

With reference to my application, dated the 2nd July, I desire that since the nurse concerned has apologised to me, the matter may be finally closed.

Yours obediently,

Sd. A. K. BASU.

P. W. HOSPITAL
5th July, 1938.

Forwarded.

Sd. P. N. CHATTERJEE.

5th July, 1938.

Dr. SURESH CHANDRA BANERJEE:

মাননীয় মন্ত্রী মহাশয় জানেন কি এইরূপ খারাপ ব্যবহার এংলো-ইণ্ডিয়ান ও ইউরোপিয়ান নার্সদের হাতে শুধু ভারতীয় রোগী নয়, ভারতীয় হাউস সার্জন এবং হাউস ফিজিসিয়ান-রাও অনেক সময়ে পেয়ে থাকে ?

The Hon'ble Mr. H. S. SUHRAWARDY: এ প্রশ্ন উঠে না।

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister entitled, as he has done in his endeavour to reply to the question in Bengali, to usurp the function of the Speaker because it is only the latter's function to say whether a question arises or not?

(No reply.)

Hospitals in Calcutta where Indians are not admitted.

27. Mr. RASIK LAL BISWAS: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether there is any hospital in Calcutta maintained by the Government where Indian patients are not admitted at all?

(*b*) If so, what is the name of the hospital and where is it situated and how many beds are there?

(*c*) Is it a paying hospital?

(*d*) If so, how much a patient is to pay daily in that reserved hospital for the Europeans and Anglo-Indians?

(*e*) Will the Hon'ble Minister be pleased to state how much daily expenditure on average the Government has to incur per patient in the said hospital reserved for the non-Indians?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) No.

(*b*) to (*e*) Do not arise.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if Indian patients are admitted in the Presidency General Hospital?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, they are.

Election of Chairman of the Midnapore Municipality

28. Mr. DEBENDRA LALL KHAN: Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

(*a*) that official pressure was brought to bear upon many of the commissioners, both elected and nominated, of the Midnapore Municipality to vote for Rai Sahib Debendra Mohan Bhattacharji, a nominated commissioner in the recent contest for chairmanship of the said municipality;

(*b*) that the Sadar Subdivisional Officer was present at the tea party given by Rai Sahib Debendra Mohan Bhattacharji, one of the two candidates for the chairmanship of the Midnapore Municipality on the night previous to the morning on which the election was to be held, and to which a number of municipal commissioners of the Midnapore Municipality were invited;

(*c*) that the Additional Sadar Subdivisional Officer having requested all the four Muhammadan commissioners to meet him sounded them as to which of the two candidates for the chairmanship of the Midnapore Municipality they would vote for as the District Magistrate wanted to know for whom they were going to vote;

(*d*) that on the eve of the recent election of the chairman of the Midnapore Municipality an elected commissioner was threatened with the cancellation of his licence for petrol and kerosene oil, by some interested people, in the name of the

District Magistrate, in case he would not vote for the nominated member, Rai Sahib Debendra Mohan Bhattacharji, in the election for chairmanship of the Midnapore Municipality; and

(*e*) that the Circle Officer of Pingla wrote a letter, very shortly before the recent election for chairmanship of the Midnapore Municipality, to one of the commissioners elected on the Congress ticket, asking him to see him and when the commissioner saw him accordingly the said Circle Officer requested him not to vote for any of the two candidates for the chairmanship of the Midnapore Municipality but to remain neutral?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) to (*c*) No.

(*d*) No such threat was administered to any one at the instance of or within the knowledge of the District Magistrate.

(*e*) The Circle Officer did write to Babu Gajendra Nath Hazra, an elected commissioner, to come and see him but that was only to discuss continuance of rural uplift activities in his village, of which his elder brother, Babu Debendra Nath Hazra, who died a few weeks ago, was an outstanding pioneer The discussion had no reference to the Municipal election.

Transfer of Sheristadars.

29. Mr. ABDUL KARIM: With reference to the reply to clause (*a*) (*ii*) of unstarred question No. 35 of the 3rd March, 1938, will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*a*) whether Government contemplates transferring the four Sheristadars serving in the same station for over 5 years at a stretch, to some other districts, according to the new rules promulgated by the Hon'ble High Court; and

(*b*) if so, the approximate time when these transfers are to be made?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur:) The High Court makes these transfers. By the courtesy of the High Court I am able to state that one of these 4 Sheristadars, who is at Noakhali, has been permitted to continue there till retirement due in November, 1940, and it is not proposed to transfer any of the remaining three Sheristadars who are at 24-Parganas, Dinajpur

and Chittagong, respectively, until they have completed 5 years as such at their present stations, the approximate time of their transfer thus being in January, 1939, October, 1939, and October, 1941, respectively.

Keeping in abeyance the certificate procedure for the relief of the Khas Mahal and Court of Wards' tenants.

30. Khan Sahib Maulvi HATEMALLY JAMADAR: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact—

(*i*) that the Government contemplated to keep in abeyance the certificate procedure for 2 years for the relief of the Khas Mahal and Court of Wards' tenants; but

(*ii*) the Khas Mahal Department is going to realise the arrear rents by the help of Civil Courts?

(*b*) Are the Government considering the desirability of stopping the realisation of arrear rents through Civil Courts till the certificate procedure is kept in abeyance?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) It has been decided by Government not to resort to fresh certificates in Court of Wards and Khas Mahals for the next 2 years.

(*ii*) No final decision has yet been taken on this, but, if necessary, this may have to be resorted to.

(*b*) Does not arise.

STARRED QUESTIONS

(to which oral answers were given)

Promulgation of orders under the Criminal Tribes Act on Mr. Syed Ahmad Khan, M.L.A.

***31. Mr. NIHARENDU DUTTA MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether the Hon'ble Prime Minister received a note containing certain representations concerning the promulgation of orders and notification under the Criminal Tribes Act on Mr. Syed Ahmad Khan, M.L.A., signed by about 103 members of the Legislature some time in the Budget Session of 1937 together with a covering letter from the leader of the opposition?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability—

(*i*) of immediate cancellation of the aforesaid notification;

(*ii*) of making a statement regarding what view Government take on the representations contained in the aforesaid note; and

(*iii*) of laying copies of the note on the table?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) (*i*) The name of Mr. Syed Ahmed Khan has already been removed from the register by the District Magistrate of Noakhali.

(*ii*) and (*iii*) Do not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Is the Hon'ble Minister considering the desirability of cancelling similar orders served on others on the same occasion?

Mr. SPEAKER: That question does not arise.

Withdrawal of ban on Sarat Chatterjee's "Pather Dabi."

*33. **Mr. DHIRENDRA NATH DATTA:** (*a*) Is the Hon'ble Minister in charge of the Home (Press) Department aware that the ban on the fiction "Pather Dabi" by the late Sarat Chandra Chatterjee has been removed by the Bihar Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Bengal Government contemplate removal of the ban from the said book?

(*c*) If the ban is decided not to be removed, will the Hon'ble Minister be pleased to state the reasons for not removing the ban in this province.

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) I have no authoritative information.

(*b*) and (*c*) Do not arise.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister kindly communicate with the Bihar Government and inform us of the result of that communication at the next session of the Assembly?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think it necessary to do so.

Mr. DHIRENDRA NATH DATTA: Having regard to the fact that the ban has been removed by the Bihar Government, will the Hon'ble Minister consider the desirability of removing the ban here also?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

Appointment of an Industrial Advisory Board.

***34. Dr. SURESH CHANDRA BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether he is aware that the Bombay Government has of late announced the formation of an Industrial Advisory Board consisting of Indian industrialists and businessmen of Bombay with a view to advise the Government on—

(*i*) all new schemes and proposals relating to the industrial development of the province; and

(*ii*) all matters of policy affecting the various sections of the Department of Industries?

(*b*) Does the Hon'ble Minister also propose to appoint an Industrial Advisory Board for this province on lines and with objects similar to the Bombay Board? If not, why not?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state when and with what personnel is the Board to be appointed in Bengal?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) I have no information.

(*b*) and (*c*) The appointment of a Scientific Advisory Council is under consideration.

Dr. SURESH CHANDRA BANERJEE:

মাননীয় মন্ত্রী মহাশয় অনুগ্রহ পূর্ব্বক কি জানাবেন এ সম্বন্ধে তিনি কোন রকম সংবাদ সংগ্রহের জন্য চেষ্টা কোরেছেন কি না?

The Honble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No.

Dr. SURESH CHANDRA BANERJEE:

যদি সংবাদ সংগ্রহের চেষ্টা করেও না পেয়ে থাকেন তবে কেন সংবাদ পান নাই সে সম্বন্ধে কিছু বলিবেন কি?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not prepared to say so.

Unclaimed money deposited with the Accountant-General and the High Court.

***35. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state whether large sums of money deposited with the Accountant-General and the High Court, remain unclaimed by the owners for a long time?

(*b*) If so, what were the amounts lying unclaimed for more than ten years at the end of 1936-37 and 1937-38?

(*c*) Whether a portion of this unclaimed deposit has been credited to Government during recent years?

(*d*) If so, how much during the last three years 1935-36, 1936-37 and 1937-38?

(*e*) Whether there was any sum meant for religious, educational or charitable purposes so credited to Government?

(*f*) If so, how much during the last three years?

(*g*) What arrangements are made to inform the legatees duly about such deposits, or to place them in the hands of proper authorities for such purposes as might have been intended by the donors?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) Yes.

(*b*) The information is not available, but a special staff has been investigating all securities and sums of money deposited in the High Court in course of suits and which appear to have been in such deposit for a period of 20 years or upwards without any claim thereto having been made and allowed during the period, with a view to obtaining the Court's order to transfer such of the securities and sums of money to the credit of Government as can be declared as lapsed under the provisions of Act XXV of 1866.

(*c*) Yes.

(*d*) No money in deposit with the Accountant-General and the High Court was credited to Government as lapsed deposits during the last three years, but a sum of Rs. 2,28,945-9-2 of which Rs. 1,21,945-9-2 was in cash and Rs. 1,07,000 in Government securities has been credited to Government on the 28th May last and a further sum of Rs. 2,25,283-6

of which Rs. 1,22,283-6 is in cash and Rs. 1,03,000 in Government securities is being credited to Government shortly under orders of the Court.

(*e*) No.

(*f*) Does not arise.

(*g*) Act XXV of 1866 does not provide for any such arrangement being made by the High Court nor does it make any distinction between the deposits meant for religious, educational or charitable purposes and those meant for any other purposes. Lapsing of money to Government does not affect the claimants' right to receive the money as section 4 of the said Act provides for repayment by Government at any time either the whole or any part of the lapsed deposits on the establishment of a party's claim to the satisfaction of the High Court, and Act V of 1870 provides for payment of costs thereof.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the different heads of account under which money is deposited with the Accountant-General, High Court?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur I ask for notice.

Ministerial officers in all the subdivisions of Nadia district.

***36. Babu LAKSHMI NARAYAN BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state the number of ministerial officers in both the higher and lower grades of the Civil Courts in the five subdivisions of the district of Nadia mentioning separately how many of them are—

(1) Caste Hindus;

(2) Muhammadans; and

(3) Scheduled Castes?

(*b*) Is the Hon'ble Minister aware that these posts are not duly advertised at the time of new appointments?

(*c*) If the answer to clause (*b*) is in the negative, do the Government propose to institute an enquiry into the matter?

(*d*) Is the High Court Circular enclosing the rules for appointment of ministerial officers being properly observed in Civil Courts in Nadia?

(*e*) If the answer to (*d*) is in the negative, do the Government consider the desirability of urging upon a strict compliance?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*)—

	Higher grade.	Lower grade.
(1) Caste Hindus	11	58
(2) Muhammadans	4	31
(3) Scheduled Castes	—	3
		Vacant 1

(*b*) Vacancies are duly advertised.

(*c*) and (*e*) Do not arise.

(*d*) Yes.

Appointment of clerks in Rajshahi and Malda by the District Judge.

*37. **Maulvi MANIRUDDIN AKHAND:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*a*) how many clerks were appointed by the District Judge of Rajshahi and Malda during the last three years;

(*b*) how many of them belong to the Muslim and non-Muslim communities;

(*c*) how many of them belong to the Rajshahi district;

(*d*) how many of them belong to the Malda district;

(*e*) the number of appointments given to the candidates who do not belong to Rajshahi and Malda districts; and

(*f*) the reasons for appointment of candidates of outside districts?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) 27.

(*b*) Muslim 10 and non-Muslim 17.

(*c*) 11.

(*d*) One.

(*e*) 15.

(*f*) Eleven out of the fifteen clerks who do not belong to the districts of Rajshahi and Malda were taken in on the result of competitive examinations. One was taken in for his knowledge in stenography. As regards the remaining three clerks Government has no information as to the reasons which weighed with the District Judge by whom they were appointed.

Ordinance promulgated by His Excellency the Governor regarding Bengal Tenancy (Amendment) Bill, 1938, and its effects.

*38. **Mr. Md. ABUL FAZL:** (*a*) Is the Hon'ble Minister in charge of the Judicial Department aware—

(*i*) that the Hon'ble the High Court of Calcutta has not yet issued any orders on the subordinate Civil Courts in terms of the Ordinance promulgated by His Excellency the Governor of Bengal regarding Bengal Tenancy (Amendment) Bill, 1938; and

(*ii*) that the subordinate Civil Courts of Bengal are not carrying out His Excellency's Ordinance with regard to the staying of sales, etc.?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble Minister be pleased to state—

(*i*) the number of cases in which this Ordinance was not followed; and

(*ii*) what steps, if any, have been taken for strict observance of the Ordinance?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) (*i*) No such order is necessary. The Ordinance is law. It was duly published in the Gazette and circulated to all Courts who are bound to follow it.

(*ii*) Government is not aware of any such case. Such action on the part of Courts would be contrary to law and open to reversal on appeal or revision at the instance of an aggrieved party.

(*b*) Does not arise.

Appointment of process-servers, night guards, etc., in Rajshahi and Malda by the District Judge.

*39. **Maulvi MANIRUDDIN AKHAND:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to lay a statement on the table showing for the last three years—

(*a*) the number of appointments made by the District Judge of Rajshahi and Malda as—

(*i*) process-servers,

(*ii*) night guards, and

(*iii*) orderlies;

(*b*) the number of them that belong to Muslim and non-Muslim communities;

(*c*) the number of them that belong to—

(*i*) Rajshahi district, and

(*ii*) Malda district;

(*d*) number of them that do not belong to Rajshahi and Malda districts; and

(*e*) the reason for appointment of candidates of outside districts?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) to (*d*) A statement is laid on the table.

(*e*) Most of these outsiders were in the list of candidate peons since 1925-26. When the selection for appointment was made they were found efficient and consequently preference was given to them.

Statement referred to in the answer to clauses (a) to (d) of starred question No. 39.

(*a*)	(*i*) (*a*) Permanent	.. ..	11
	(*b*) Temporary	.. ..	19
	(*ii*) Night guards	.. ..	16
	(*iii*) Orderlies	.. ..	Nil.

		Non-Muslim.	Muslim.	
(*b*)	(*i*)	6	5 = 11	(Permanent process-servers).
	(*ii*)	9	10 = 19	(Temporary process-servers).
	(*iii*)	7	9 = 16	(Night guards).
	Total ..	22	24 46	

		Permanent process-servers.	Temporary process-servers.	Night guards.	
(*c*)	(*i*)	5	10	9	(Rajshahi).
	(*ii*)	2	3	3	(Malda).
(*d*)		4	6	4	(Other districts).

Number of Debt Settlement Boards in Murshidabad district.

***40. Maulvi ABDUL BARI:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state how many Debt Settlement Boards have been actually established in the district of Murshidabad?

(*b*) What is the reason for the delay in not establishing Debt Settlement Boards in the rest of the Unions?

(*c*) Is the Hon'ble Minister aware that the creditors are busy in executing their decrees in the Unions in which Debt Settlement Boards have not been established yet?

(*d*) Have the Government received any report on the working of the Debt Settlement Boards in places where the zemindars and *mahajans* have been presidents?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) 93.

(*b*) The delay is due to detailed enquiry for finding suitable personnel.

(*c*) No. Complaints have been found to be groundless on enquiry.

(*d*) No.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that there are large accumulations of undisposed of cases before the existing Debt Settlement Boards of Murshidabad district necessitating the establishment of a larger number of Boards?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I ask for a notice.

Harassment of Landholders and Mahajans by Debt Settlement Boards.

***41. Mr. CHARU CHANDRA ROY:** (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware—

(*i*) that there are frequent changes of dates and procedure in respect to cases before Debt Settlement Boards; and

(*ii*) that these changes of dates make the landlords suffer by sending agents to attend the meetings of the Boards and therefore delay in realising money?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of amending the law to remedy this state of affairs?

(*c*) If not, what action do the Government propose to take in the matter?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) No.

(*b*) and (*c*) Do not arise.

Girls' schools in Dinajpur district.

*42. **Babu SHYAMA PROSAD BARMAN:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) how many girls' schools both high and middle English are there in the district of Dinajpur; and

(*ii*) how many of them are enjoying grants-in-aid from the Government?

(*b*) Is the Hon'ble Minister aware—

(*i*) that the Sarojini Girls' Middle English School at Raiganj has not been in receipt of Government grant-in-aid; and

(*ii*) that its Secretary repeatedly applied for the same?

(*c*) If the answer to clause (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) There are only one high and two middle English schools in the district.

(*ii*) The high English school and one middle English school are enjoying Government grant-in-aid.

(*b*) Yes.

(*c*) No additional funds were available for new schools. The Inspectress of Schools, Dacca Circle, reports that if and when additional allotment is received its case will be duly considered. An additional allotment is being placed at her disposal this year and her attention is being drawn to this case.

Appointment of Professor of English in Rajshahi College.

*43. **Mr. SURENDRA MOHAN MAITRA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state when was Mr. Tayebuddin appointed a Professor of English in the Rajshahi College?

(*b*) What is his place in the result of the M.A. examination?

(*c*) Whether it is a fact that he had been appointed before his name was published in the *Calcutta Gazette* in the list of successful candidates?

(*d*) Whether he was appointed directly by the Government without any reference to the Governing Body of the College?

(*e*) Was the post advertised in any paper?

(*f*) If the answers to (*c*) and (*d*) are in the affirmative, and that to (*e*) in the negative, what was the reason thereof?

(*g*) Whether it was a fact that a requisition was made by the College authority for a competent and experienced Professor of English?

(*h*) What teaching experience has the appointed Professor had for teaching English in honours?

(*i*) Is it a fact that there were many first class Muhammadan M.A.'s in English?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) No person named Mr. Tayebuddin was appointed as Professor of English in Rajshahi College.

(*b*) to (*i*) Do not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that one Mr. Tayeb was so appointed some time ago?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, that is not the fact.

Dr. NALINAKSHA SANYAL: Is it a fact that Mr. Abu Zamal Tayeb is still serving in a Government college?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot answer, Sir, unless the name is properly spelt and correctly pronounced.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to give us the correct spelling and the proper pronunciation of the name he has in mind?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the name of the new incumbent in the Rajshahi College appointed in the month of June last?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is impossible to say off-hand.

Dr. NALINAKSHA SANYAL: What is the number of professors in English in the Rajshahi College?

The Hon'ble Mr. A. K. FAZLUL HUQ: No human minister can say that off-hand.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that recently one professor of English was appointed in the Rajshahi College?

The Hon'ble Mr. A. K. FAZLUL HUQ: No; two were appointed.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the names of those two persons?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give the names off-hand, Sir.

Splitting up of Muhammadan Marriage Registry Office.

*44. **Maulvi MD. HASANUZZAMAN:** (*a*) With reference to his assurance during the discussion of supplementary grant under "Registration" on the 16th February, 1938, will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to name the Muhammadan Marriage Registration Offices with their respective districts, whose income exceeds Rs. 1,000 annually?

(*b*) Is it a fact that the annual income of the Laksam Marriage Registry Office (Tippera) is nearly Rs. 2,000?

(*c*) If so, when will it be split up?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) A list of Muhammadan Registration Offices where the income exceeded Rs. 1,000 in 1937 is placed on the table.

(*b*) Yes.

(*c*) The matter is under consideration.

List referred to in the answer to clause (a) of starred question No. 44 of Muhammadan Registration Offices with their respective districts, where the income exceeded Rs. 1,000 in 1937.

District.	Names of offices.
Howrah	Howrah Sadar.
24-Parganas	Beniapukur.
	Kidderpore.
	Entally.
	Beliaghatta.
	Ballygunge.
Calcutta	Taltolla.
Dacca	Dacca Sadar
	Nawabganj.
	Narayanganj.
	Narsingdi.
	Munshiganj.
	Tangibari.
	Srinagar.
	Lohajang.
	Manickganj.
	Harirampur.
	Ghior (Ghior).
	Bariabo.
	Rupganj.
	Shambhupura.
Mymensingh	Gaffargaon.
	Bhaluka.
	Iswarganj.
	Nandail.
	Gouripur.
	Phulpur.
	Mymensingh Sadar.
	Trisal.
	Netrokona.
	Kendua.
	Barhatta.
	Tangail.
	Gopalpur.
	Madhupur (Dhanbari).
	Sarisabari (Pinga).
	Jamalpur.
	Dewanganj.
	Sherpur.
	Kishoreganj.
	Karimganj.
	Kathiadi.
	Hossainpur.
	Sribori.
	Pakundia.
	Tarail.
	Purbadhala

District.	Names of offices.
Faridpur ..	Sadar.
	Bhanga.
	Madaripur.
	Palong.
	Damadya.
	Silchar.
	Naria.
Bakarganj ..	Bhola.
Chittagong ..	Sadar.
	Boalkhali.
	Hathazari.
	Fatickchari.
	Miresarai.
	Raozan.
	Zorwarganj.
	Sitakundu.
Tippera ..	Daudkandi.
	Matlab.
	Comilla.
	Hajiganj.
	Chandpur.
	Hossaindi.
	Faridganj.
	Kachua.
	Mohanpur.
	Laksam.
Noakhali ..	Ramganj.
	Raipur.
	Begamganj.
Pabna ..	Sadar.
	Chatmohor.
	Serajganj.

Ministerial officers in Nadia Collectorate.

*45. **Babu LAKSHMI NARAYAN BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the number of clerks and of menials in the different departments in the Collectorate of the district of Nadia showing, separately, how many of them are—

(*i*) Caste Hindus;

(*ii*) Muhammadans; and

(*iii*) Scheduled Castes?

(*b*) Are the posts duly advertised during the time of new recruitment?

(*c*) If the answer to clause (*b*) is in the negative, are the Government contemplating issue of circular urging upon the authority to advertise them properly?

(*d*) Is it a fact that a certain percentage of appointments is allotted to the members of the Scheduled Castes?

(*e*) If the answer to clause (*d*) is in the affirmative—

(*i*) what is the percentage; and

(*ii*) whether the circular to that effect is being strictly followed?

(*f*) If the circular is not strictly observed, do the Government consider it desirable to take steps in the matter of future compliance with the circular?

The Hon'ble Sir BIJOY PRASAD SINGH ROY:

	Clerks.	Menials.
(*a*) (*i*)	61	43
(*ii*)	39	38
(*iii*)	2	5

(*b*) Yes.

(*c*) and (*f*) Do not arise.

(*d*) The Government order on the subject is contained in Home (Appointment) Department Memorandum No. 9898A., dated the 21st September, 1936, of which a copy is laid on the table.

(*e*) (*i*) No percentage is fixed for Nadia district.

(*ii*) Yes.

Government order referred to in the answer to clause (d) of starred question No. 45.

GOVERNMENT OF BENGAL.

APPOINTMENT DEPARTMENT.

(Appointment.)

Memorandum No. 9898A.

Calcutta, the 21st September, 1936.

In Appointment Department memorandum Nos. 3540-3554 A., dated the 28th April, 1931, it was stated that Government were in favour of encouraging education among the backward classes by making provision for their employment to a reasonable extent in ministerial appointments

and announced certain measures which had been adopted with that end in view. The number of suitable candidates from those classes being small, percentages could not be prescribed for all areas and districts but it was ordered that in Faridpur and Bakarganj at least one out of every three non-Muhammadan vacancies should, as an experimental measure, be filled by candidates belonging to the backward classes. With regard to other areas, District Officers and other appointing authorities were directed to look out for and encourage candidates from backward classes especially where they formed a large proportion of the non-Muhammadan population and to submit returns showing the progress made from year to year. In Government Order Nos. 1071-1085 A.—D., dated the 21st June, 1935, the words "minority communities and backward classes" were substituted for the words "backward classes" wherever they occurred in Appointment Department memorandum of the 28th April, 1931, and the list attached to that memorandum was replaced by one which is based mainly on the list of Scheduled Castes shown in Government Resolution No. 915 A. R., dated the 28th December, 1934, as subsequently amended, with certain additions.

2. These orders have now been in force for five years and Government have recently reviewed the position. For this purpose the returns received during the experimental period have been examined and the views of the Commissioners of Divisions obtained regarding the supply of suitable candidates from the backward classes for ministerial appointments and the advisability of extending the system of reservation to other districts. While results vary considerably from district to district, Government are satisfied that good candidates from the backward classes are available. They are also impressed by the fact that all such candidates hitherto appointed have been found fit for confirmation. There are, therefore, good grounds for extending the system of reservation and Government have decided to extend the effect of the orders of 1931 in the following way:—

Fifteen per cent. of the total number of vacancies in the districts of Dacca, Birbhum, Burdwan, Khulna, Jessore, Murshidabad, 24-Parganas, Bakarganj and Faridpur shall be filled by members of the minority communities and backward classes and in the districts of Rangpur, Dinajpur and Jalpaiguri, a working rule shall be adopted under which one candidate shall be recruited from these classes and communities against every four temporary vacancies, provided qualified candidates are available.

3. As regards other areas and districts, the number of suitable candidates from minority communities and backward classes for ministerial appointment being still small, Government are not prepared to prescribe any definite percentages but the general directions issued in

1931 should be followed. As then ordered, candidates from minority communities and backward classes possessing the requisite qualifications for any ministerial appointment should not be rejected merely because other candidates have reached a higher standard. A reasonable number must be appointed under the usual conditions of probation. This preference should be extended only to admission to probation and not to confirmation after probation, and probationers from these communities and classes will be required to reach the same standard for confirmation as is prescribed for probationers of other communities.

4. Returns regarding recruitment of candidates from minority communities and backward classes should continue to be submitted to Government in the form prescribed for the purpose (Appointment Department memorandum Nos. 7686-7700 A., dated the 18th April, 1932).

5. A revised list of minority communities and backward classes was circulated to all departments with memorandum Nos. 1071-1085 A.—D., dated the 21st June, 1935.

Sd. G. P. HOGG,

Chief Secretary to the Government of Bengal.

Prohibition in Noakhali district.

*46. **RAI HARENDRA NATH CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state what progress has been made with the scheme of prohibition that the Government intended to launch in the district of Noakhali?

(*b*) How many new licences, if any, for the sale of—

(*i*) liquor, and

(*ii*) opium

were issued in the province between April, 1937, and March, 1938?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) Prohibition in the district of Noakhali was undertaken from the 1st April, 1938. So far it extends only to sale and manufacture of alcoholic beverages. The Collector of the district was directed not to grant licences for sale of liquor, except those for sale of medicated wines and not to grant licences for the manufacture of any intoxicant. The financial effect in the total excise revenue of the district during the first quarter of the

current financial year as compared with the corresponding period of the previous year was a loss of Rs. 714 only. The result of the experiment in Noakhali is being watched.

(*b*) (*i*) 38 and (*ii*) 15.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if after watching the results of prohibition for a period of six months Government hope that any good results may come by pursuing this policy in any other district?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is very difficult to say after six months what the result will be. Government should get at least a year or so in order to be able to give some idea of what shall be the result.

Mr. DEBI PROSAD KHAITAN: Will the Hon'ble Minister be pleased to state whether licences are still being granted in spite of the protest of the people of the locality?

Mr. SPEAKER: How does it arise?

Mr. DEBI PROSAD KHAITAN: I am asking supplementary question with reference to (*b*) "how many new licences, if any, for the sale of liquor and opium were issued in the province between April, 1937, and March, 1938"?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, we have Licensing Boards and Advisory Committees, and licences are issued on their recommendation after strict examination.

Mr. DEBI PROSAD KHAITAN: Will the Hon'ble Minister be pleased to state how it is consistent with the policy of prohibition about which an undertaking was given by the Hon'ble the Chief Minister to the effect that a policy of prohibition has been accepted by the Government?

Mr. SPEAKER: It is too large a question to decide here. That cannot be replied in a supplementary question. It is a question of opinion. You can draw your own inference.

Mr. DEBI PROSAD KHATAN: While the Hon'ble Premier gave an undertaking to adopt a policy of prohibition, is the Hon'ble Minister aware that fresh licences have been issued in spite of the protest of the people of various localities in the province?

Mr. SPEAKER: That has been answered in the affirmative.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if it is not contrary to the Policy of prohibition to allow licences in the province in this way?

Mr. SPEAKER: That is a question of opinion.

Mr. RASIK LAL BISWAS:

লাইসেন্স বোর্ডের মত অনুসারে যখন লাইসেন্স দেওয়া হয় তখন লাইসেন্স বোর্ডকে কি জানিয়ে দেওয়া হয়েছে যে prohibition করবার জন্য তারা যেন নূতন লাইসেন্স issue না করেন ?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Licensing Boards are aware that licences should not be granted——

Mr. SPEAKER: No, no. His question is whether Government is taking steps to inform the Licensing Boards as regards the ultimate policy of Government?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Licensing Boards are aware of the Government's policy.

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state how many liquor shops are situated in the two districts of Tippera and Chittagong which adjoin Noakhali out of the total number of 38 licences as stated in answer (*b*) (*i*)?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I want notice for this.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state what is the net result in the diminution of consumption of liquor as a result of the policy of prohibition that has been launched in the Noakhali district?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is not yet known.

Tenants of Chandina lands.

***47. Haji SAFIRUDDIN AHMED:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware that the tenants of Chandina lands have no other right to the land except possession and are ejectable at the will of the landlords?

(*b*) If the answer to (*a*) is in the affirmative what steps, if any, do the Government propose taking to make the tenants of Chandina lands non-ejectable?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) The rights of the tenants of Chandina lands are governed by the Transfer of Property Act, 1882.

(*b*) Government have already decided to appoint a Committee to enquire into the matter.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government have considered the desirability of taking on the Committee such representatives of the Assembly as are representing urban constituencies?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have appointed a Committee and in their opinion it is sufficiently representative.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to say when do Government propose to actually appoint the Committee?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It has actually been appointed already.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state who amongst the persons chosen for the Committee are considered by Government to be representing urban constituencies?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not remember all the names. So it is difficult to answer this question.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state when the Committee expects to begin its work?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That depends on the Committee itself.

Inquiry into Chaukidari administration.

*48. **Mr. ISWAR CHANDRA MAL:** Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state when the Government will appoint the Committee to enquire into the question of Chaukidari administration?

The Hon'ble Khwaja Sir NAZIMUDDIN: Committee has been appointed.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to tell us the personnel of the Committee which has been appointed?

Mr. SPEAKER: That has been published in the gazette.

Mr. RASIK LAL BISWAS:

মন্ত্রী মহাশয় অনুগ্রহ কোরে জানাবেন কি কমিটির রিপোর্ট কত দিনে তিনি আশা করেন?

The Hon'ble Khwaja Sir NAZIMUDDIN: It all depends on the way the Committee works. If it works very quickly, the report will be submitted soon; I am not responsible for the work of the Committee.

Number of pleaders on panel of Public Prosecutors in Rangpur district.

***49. Mr. SHAH ABDUR RAUF:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state how many pleaders are there at present on the panel of Public Prosecutors in the district of Rangpur?

(*b*) What are their names?

(*c*) When was each of them enlisted?

(*d*) What amount of fee was drawn by each of them annually during the last five years?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: A statement is laid on the Library table showing the fee earned in 1937 which is all the information at present available. Further information has been called for and will be sent to the member when received.

Prevalence of economic distress in Dinajpur district.

***50. Babu SHYAMA PROSAD BARMAN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether acute economic distress prevails in the district of Dinajpur, specially in the Thakurgaon subdivision?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps have been taken to cope with the situation?

(*c*) Is the Hon'ble Minister aware that the economic distress has been aggravated by the refusal of the village *mahajans* to lend money and paddy to the agriculturists on account of the operation of the Bengal Agricultural Debtors' Act?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes, in 3 thanas in Thakurgaon subdivision.

(*b*) Agricultural loans are being granted to ease the situation. The District Board has been requested to open test relief works and gratuitous relief is being given to those who due to old age and infirmities and other reasons are unable to work.

(*c*) The Bengal Agricultural Debtors' Act is not a very serious factor in the restriction of rural credit, the main causes of which are the economic depression and past irregularity in repayment of loans: even now *mahajans* are prepared to lend to agriculturists whose personal credit is good; it is not the intention of Government that the Bengal Agricultural Debtors' Act should be used for the reduction of debts incurred since the Act came into operation.

Mr. NISHITHA NATH KUNDU: Is the Hon'ble Minister aware that more thanas are gradually being affected and the number of such thanas have already reached up to 8 in the whole district?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: My information is that 4 thanas in the subdivision are affected.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if the Government propose to enquire into the matter and ascertain the exact number of thanas affected in the district?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes.

Mr. ATUL KRISHNA GHOSE: In view of the acute distress caused by the damages of the crops, will the Hon'ble Minister consider the desirability of remission of revenue on the part of the Government?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: If necessary, Government will certainly grant remission.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether his attention has been attracted to the statement that was made recently in the press by Mr. Jogesh Chakrabarty, an ex-member of the House, that owing to the operation of the Bengal Agricultural Debtors' Act, the peasants were not getting loans for the purpose of cultivation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. NISHITHA NATH KUNDU: In view of his answer (*b*) regarding gratuitous relief, will the Hon'ble Minister be pleased to state what is the amount that has been allotted to the district of Dinajpur?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Maladministration of the Forest Department in Chittagong.

***51. Al-Haj Maulana Dr. SANAULLAH:** (*a*) Is the Hon'ble Minister in charge of the Forest and Excise Department aware—

(*i*) that there is a feeling of agitation going on in the Raozan, Fatikchari and Hathazari thanas of the Chittagong district against the maladministration of the Forest Department;

(*ii*) that for long time the local press and the platform have been ventilating the grievances of the people in various ways;

(*iii*) that fifty families have recently been rendered homeless in the Teknaf Range, Chittagong, by the orders of the Forest Department; and

(*iv*) that the people that have been rendered homeless reclaimed large tracts of Forest lands and were carrying on cultivation for a number of years?

(*b*) if the answers to (*a*)(*iii*) and (*iv*) are in the affirmative, what steps, if any, does the Government propose to take for putting them in possession of their homes and lands?

(*c*) Is it a fact that in the Fatikchari thana a number of men were prosecuted by the Forest authorities but that they were subsequently discharged for want of evidence?

(*d*) What steps does the Hon'ble Minister contemplate taking for the redress of grievances against the Forest administration in Chittagong?

The Hon'ble Mr. PRASANNA DEB RAIKUT: (*a*)(*i*) and (*ii*) There is agitation against the administration of the Forest Department in these areas.

(*iii*) and (*iv*) The labour settlers, known as forest villagers were established under agreements to perform certain duties and the persons concerned were allowed to cultivate small plots of land in part payment for services rendered.

The villagers refused to abide by the conditions of their agreement and attempted to establish 'squatters' rights. They were therefore ejected after being given eighteen months' notice.

(*b*) Government do not propose to take any steps as the persons concerned have no genuine cause for complaint. They were offered work in other localities in the Reserved Forest under fresh agreement but refused it.

(*c*) Yes.

(*d*) The measures which Government propose to take are still under consideration and discussion.

Al-Haj Maulana Dr. SANAULLAH: With reference to answer (*c*), will the Hon'ble Minister be pleased to state the reason why these people were frivolously prosecuted?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I cannot understand the question.

Al-Haj Maulana Dr. SANAULLAH: I want to know why these people were frivolously prosecuted by the Forest Department?

The Hon'ble Mr. PRASANNA DEB RAIKUT: They must have acted against the law.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state on what charge they were prosecuted?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I ask for notice.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to tell us whether this agitation is due to maladministration, or, what is it due to?

The Hon'ble Mr. PRASANNA DEB RAIKUT: No, Sir, it is not due to that.

Mr. SPEAKER: It is very bad advocacy to cross-examine the Minister.

Mr. SYED JALALUDDIN HASHEMY: Is it due to mal-administration, Sir?

Mr. SPEAKER: If he says "no"?

Mr. SYED JALALUDDIN HASHEMY: Then I will put another question.

Mr. SPEAKER: Then you want to approach the point in a round about way. (Laughter.)

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the number of years these families have been working in those forest areas and have been enjoying the privilege of cultivating small plots of land, as answered in (*iii*) and (*iv*)?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I will refer the hon'ble member to the Forest Manual, Volume II.

Dr. NALINAKSHA SANYAL: The number of years I want, and not the Forest Manual.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Then I ask for notice.

A new bridge in Serajganj.

***52. Mr. ABDULLA-AL-MAHMOOD:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether his attention has been drawn to the report and the suggestions in the concluding portion of the Executive Engineer's report that as Serajganj is a growing commercial centre and there is no other bridge over this river which divides the town in two parts the questions of the economy of the expenditure of such a sum of money on a bridge which will of necessity be limited to a maximum load of 1½ tons be considered in comparison with the erection of a new bridge to carry loads up to 10 tons?

(*b*) If the answer to (*a*) is in the affirmative, do the Government propose to construct a new bridge in Serajganj before the next rainy season to save the town from loss and dislocation of business?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Cossimbazar): (*a*) Yes.

(*b*) No.

Mr. ABDULLAH-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether he is aware that the hackney carriagewallas went on strike on account of the objection to the vehicular traffic over the bridge during the rainy season?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Sir, I may explain the position. This matter should have been taken up by the municipality and they should have approached Government through proper channel. It does not come up in the "Road Programme" which we are preparing.

Officiating clerks in the Murshidabad Collectorate.

***53. Maulvi ABDUL BARI:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state how many officiating clerks in the Murshidabad Collectorate have been discharged since the 1st April up to the 15th July, 1938?

(*b*) How many of them are Mussalmans and how many Hindus?

(*c*) How many new heads have been appointed in place of old ones discharged during that period?

(*d*) How many of them are Mussalmans?

(*e*) How many permanent vacancies have been filled up within that time?

(*f*) Whether these permanent vacancies have been filled up by new hands or from office staff?

(*g*) How many of them are Muslims and how many Hindus?

(*h*) Is it not the declared policy of the Government to re-employ men discharged through abolition of certificates?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Only 6 temporary clerks.

(*b*) Three Muslims and 3 Hindus.

(*c*) None.

(*d*) Does not arise.

(*e*) Five.

(*f*) These permanent vacancies were filled up by men who had served in temporary posts.

(*g*) Three Muslims, 1 minority community and 1 caste Hindu.

(*h*) No; but in filling up permanent vacancies in a department temporary hands who were retrenched from such a department previously, are generally given preference unless they had proved themselves inefficient.

Molestation of tenants of Khepupara Government Estate, Bakarganj.

*54. **Mr. NARENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact—

(*i*) that tenants of the Khepupara Government Estate in Bakarganj are subjected to various indignities and oppressions such as standing in the sun, whipping on the palm of hand, beating, etc., for the realisation of rents from defaulting tenants and all sorts of filthy abuses are hurled at them;

(*ii*) that a respectable Muhammadan gentleman named Abdul Ali Talukdar, was roughly handled by the Tahsildar, Abdur Rahman, and a criminal case was instituted against him under section 323;

(*iii*) that another criminal case under section 504 was instituted by one Kazem Ali against the said Tahsildar; and

(*iv*) that Chato Magh, a chaukidar, instituted a criminal case under section 323 against peon Faizaddi and chaprasi Nirsu Singh?

(*b*) Is the Hon'ble Minister aware of similar cases against peon Golamali and others?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, what steps, if any, do the Government propose taking in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) No.

(*ii*) to (*iv*) Cases alleging these offences were instituted before the Second Officer, Khepupara, against the persons referred to. The accused were acquitted under section 345 (*6*) of the Criminal Procedure Code.

(*b*) A criminal case based on such allegations is now pending before the Sadar Subdivisional Officer.

(*c*) The services of any member of the Colonisation staff who is found guilty of offences similar to those mentioned, will be immediately terminated.

Sj. NARENDRA NATH DAS GUPTA:

মন্ত্রী মহাশয়, অনুগ্রহ কোরে বোলবেন কি এই যে তহশীলদার আব্দুল রহমান কিছু টাকা মস্‌জিদ ফণ্ডে দিয়েছে তাকে transfer করা হয়েছে কি না? এ সম্বন্ধে কোন enquiry হয়েছে কি না? এই যে, তহশীলদার আব্দুল রহমান ২০০৲ টাকা গেরুপাড়া মস্‌জিদ ফণ্ডে দিয়েছে বলিয়া কোন আপোষ হয়েছে কি না? পরে এই জন্য তাকে transfer করা হইয়াছে কি?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, I have no information on the point.

Dr. SURESH CHANDRA BANERJEE:

প্রজাদের উপর অনুষ্ঠিত অত্যাচার ও অপমানের গুরুত্ব বিবেচনা করিয়া মন্ত্রী মহাশয় এ সম্বন্ধে কোন অনুসন্ধান করা প্রয়োজন মনে করেন কি?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Certainly.

Pensionary contributions for Settlement Kanungoes.

***55. Khan Bahadur Maulvi MAHTABUDDIN AHMED:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the total amount of pensionary contributions deposited up to date on the head "Leave and Pension" in favour of the Bengal Settlement Kanungoes in the Department of Land Records?

(*b*) Do Government propose to distribute the amount to the Kanungoes concerned as pension?

(*c*) If not, why not?

(*d*) Is it a fact that the "Leave and pension contributions of the Bengal Settlement Kanungoes" is one of the items of the apportionment statement of the Survey and Settlement cost?

(*e*) Were the landlords and the tenants assessed on that head?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) The total collection on account of leave and pension contribution for the Settlement Kanungoes amounted to Rs. 1,87,160 up to 1936-37. Up-to-date figures are not readily available.

(*b*) Those of the Kanungoes who are absorbed in permanent and pensionable posts before superannuation are allowed pension in calculating which the continuous service rendered as a Settlement Kanungo is taken into consideration. Those who are unable to secure such posts

are allowed a gratuity calculated at rates fixed in Government Order No. 17847 L.R., dated the 23rd November, 1935, of which a copy is placed on the table.

(*c*) No pension can be given till the service is made permanent and pensionable.

(*d*) and (*e*) It was decided only in January, 1935, that the leave and pension contributions for Settlement Kanungoes should form one of the items of Settlement expenditure. The landlords and tenants have accordingly to pay a part of it as Settlement costs.

Government order referred to in the answer to clause (b) of starred question No. 55.

No. 17847 L.R., dated Calcutta, the 23rd November, 1935.

FROM—O. M. MARTIN, ESQ., I.C.S., Secretary to the Government of Bengal, Revenue Department,

To—The Director of Land Records and Surveys, Bengal.

I am directed by the Governor in Council to refer to the correspondence resting with your letter No. V/50-146 T., dated the 10th May, 1932, regarding the payment of pension to the Settlement Kanungoes. This question has received the careful attention of Government during the last few years and the conclusion which the Governor in Council has now reached is that in present circumstances the grant of pensions for Settlement Kanungoes is not justified. Government have however decided that gratuities on retirement or discharge should be granted to Settlement Kanungoes retired or discharged on or after the 4th September, 1935, and also to those who retired or were discharged before that date and were alive on that date and hereby sanction gratuities as follows:—

(*a*) a gratuity of Rs. 100 for every year of service up to and including the 28th February, 1925; *plus*

(*b*) a gratuity of Rs. 25 for every year of service after that date;

(*c*) broken periods of six months or more to count as one year; and

(*d*) no years' service in excess of 30 to count for gratuity.

2. This decision is related to the circumstances of the service as at present organised. In the event of its being decided to retain a service of Kanungoes for work of a permanent nature the question will be re-examined.

3. The Accountant-General, Bengal, has been informed.

Excise vendors in the Rajshahi district.

*56. **Maulvi MANIRUDDIN AKHAND:** Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to lay on the table a statement showing—

(*a*) the names of all the excise vendors to whom licences have been granted or renewed in 1938 in the Rajshahi district for selling (1) *ganja*, (2) wine, (3) opium and (4) *bhang*; and

(*b*) the numbers of such excise vendors as are (1) Hindu, (2) Mussalman and (3) from outside the Bengal Presidency?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Two statements are laid on the table.

Statement referred to in the answer to clause (a) of starred question No. 56.

LIST OF ALL THE EXCISE VENDORS TO WHOM LICENCES HAVE BEEN GRANTED OR RENEWED IN 1938 IN THE RAJSHAHI DISTRICT.

Name of vendors	Ganja.	Wine C. S.	Opium.	Bhang.	Wine F. L.
Hindus.					
1. Durgaprasad Mukherji ..	1	..	1	..	..
2. Simrik Prosad ..	1	1	..	..	..
3. Jagadish Ram ..	1	1	..	..	..
4. Bhrigudayal Ram .	1	..	1	..	..
5. Narendra Nath Roy	1		1	..	..
6. Ramsarup Ram .	1	..	1	..	..
7. Jiban Krishna Chakı .	1	1	1	..	..
8. Haranarayan Ram .	1	..	1	..	..
9. Suresh Chandra Das Gupta .	1		1	1	..
10. Joyprasad Ram .	1	..	1	..	..
11. Smti. Nirupama Dasi .	1	1	..	..	..
12. Lalit Mohan Majumdar	1	1	..	..	..
13. Jnanendra Nath Mukherji .	1	..	1	..	..
14. Monohar Ram	1	1	1	..	..
15. Durgaprasad Thakur	1		1	1	..
16. Niranjan Mohan De	1	1	..	..	..
17. Sudhir Chandra Sarkar	1	..	..	..	..
18. Tarapada Tribedi	1	..	..	..	..
19. Narendra Nath Nandi .	1	..	..	..	..
20. Ramasish Ram ..	1	..	..	..	..
21. Harendra Nath Biswas ..	1	..	..	..	..
22. Surendra Nath Dutta .	1	..	..	..	..
23. Harduar Ram ..	1	..	..	..	..
24. Ramjatan Ram ..	1	..	..	..	..
25. Surendra Nath Dutta ..	1	..	..	..	..
26. Prafulla Kumar Maulik ..	1	..	..	..	..
27. Sudhir Chandra Baul ..	1	..	..	..	..
28. Mahim Chandra Das ..	1	..	..	..	..
29. Nalini Madhab Chakı ..	1	..	..	..	..

	Name of vendors.	Ganja.	Wine C. S.	Opium.	Bhang.	Wine F. L.
30.	Durgadas Sarkar ..	1	..	..	..	..
31.	Khedan Ram ..	1	..	..	..	..
32.	Beharilal Sarkar ..	1	..	..	..	..
33.	Thakur Prasad Saha ..	1	..	..	..	..
34.	Nirod Kumar Bhattachárji ..	1	..	..	..	..
35.	Narendra Kumar Chakravorti ..	1	1	..	..	..
36.	Anbika Prasad Talukdar ..	..	1	..	..	..
37.	Shibsankar Prasad ..	..	1	..	..	..
38.	Upendra Nath Paul ..	..	1	..	..	..
39.	Nalini Kanta Gupta Bhaya ..	..	1	..	..	..
40.	Naurang Prasad ..	..	1	..	..	..
41.	Lakshmichand Ram ..	..	1	..	..	..
42.	Pramatha Nath Roy ..	..	1	..	..	..
43.	Jitendra Nath Bose ..	..	1	..	..	..
44.	Gakul Krishna Banerjee ..	..	1	..	..	..
45.	Bijoy Krishna Banerjee ..	..	1	..	..	..
46.	Nagendra Nath Singha ..	..	..	1	..	..
47.	Nripendra Mohan Ghosh ..	..	..	..	..	1
48.	Mohan Lal Biswas ..	..	..	..	..	1
	Muhammadans.					
49.	Md Abdul Haque ..	1	..	..	1	..
50.	Md Hussaini Mia ..	1	1	..	..	..
51.	Sk. Abdul Karim ..	1	1	1	..	..
52.	Samsuddin Molla ..	1	..	1	..	..
53.	Nazirudin Khandkar ..	1	..	1	..	..
54.	Badaruddin Ahmed ..	1	..	..	..	..
55.	Md. Abdus Sattar ..	1	..	..	..	..
56.	Md. Moyezuddin Mia ..	1	..	..	..	..
57.	Tiaz Ali Mia ..	..	1	..	..	..

Statement referred to in the answer to clause (b) of starred question No. 56.

Total number of the excise vendors under the heads—

(1) Bengali Hindu	...	33
(2) Bengali Mussalman	...	6
(3) From outside the Bengal Presidency—		
(*a*) Hindu	...	15
(*b*) Mussalman	..	3
Total	...	57

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state whether there was not a sufficient number of applications from the people of Bengal that it was found necessary to take in people who came from outside the Bengal Presidency?

A voice: Non-Bengalees have been taken but not hill-tribes.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Will the hon'ble member please repeat his question?

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state why 18 non-Bengalees have been granted the license to sell forest excise goods?

The Hon'ble Mr. PRASANNA DEB RAIKUT: We do not make any distinction between outsiders and Bengalees in this respect. (Laughter.)

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Spending of Rs. 80,000 allotted in the Education Budget for 1938-39.

31. Maulana MD. MANIRUZZAMAN ISLAMABADI: Will the Hon'ble Minister in charge of the Education Department be pleased to state under what heads is the amount Rs. 80,000 allotted in the Education budget for the year 1938-39, proposed to be spent showing in detail under each head old scheme and new scheme madrasahs?

The Hon'ble Mr. A. K. FAZLUL HUQ: The extra provision of Rs. 31,272 in the current year's Education budget is for new and increased grants-in-aid to new scheme high and junior madrasahs and old scheme senior and junior madrasahs. It is not possible to give further details at this stage.

Number of Second Inspectors of Schools.

32. Mr. SYED ABDUL MAJID: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of Second Inspectors of Schools in Bengal;

(*ii*) the number of Second Inspectors of Schools in the Bengal Senior Educational Service;

(*iii*) the number of Second Inspectors of Schools in the Bengal Educational Service;

(*iv*) the nature of the works done by these officers; and

(*v*) whether the work of the Bengal Educational Service men and that of the Bengal Senior Educational Service men are of the same nature?

(*b*) If the answer to (*a*) (*v*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the reason for differential treatment in respect of the salaries of these officers?

(*c*) Are the Government considering the desirability of placing all these officers in the same rank?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) 7.

(*ii*) 4.

(*iii*) 3.

(*iv*) The Second Inspector of Schools is in charge of circles, comprising one or more districts into which a division is divided. He is immediately responsible to the Divisional Inspector of Schools for the inspection of high and normal schools and for the control of Inspecting Officers subordinate to him and such other work as may be entrusted to him by the Divisional Inspector of Schools. The Second Inspector of Schools is authorised to exercise within his circle the powers which are possessed by the Inspector in the matter of countersigning bills of officers and institutions. The exercise of this power by the Second Inspector may be withheld by the Inspector at his discretion.

(*v*) Yes, to a great extent.

(*b*) The Bengal Senior Educational Service was constituted to replace the Indian Educational Service and the posts included in it are, to a large extent, those which were formerly in the Imperial Service, to which recruitment has now been stopped.

(*c*) Government have under their consideration a scheme of reorganisation of the whole of the Secondary Inspectorate which will remove anomalies, if any.

Industrial Schools.

33. Maulvi MD. HASANUZZAMAN: Does the Hon'ble Minister in charge of the Agriculture and Industries Department contemplate starting industrial schools in each district to give training on various industrial subjects, on the basis of the existing District Weaving Schools?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No. It is not my policy to multiply Government technical and industrial schools. I am, however, contemplating the appointment either of one expert or of a committee of experts to advise on the whole field of technical and industrial education.

Travelling and halting allowances of jurors.

34. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state the scales of travelling, halting and other allowances sanctioned for and allowed as to different classes of persons summoned to serve as jurors at various courts in the province?

(*b*) Is the Hon'ble Minister aware—

(*i*) that in many cases the scale is not adequate and persons so summoned have to spend from their own pockets a part or whole of the expenditure involved in travelling, halting, tiffin, etc.; and

(*ii*) many persons are genuinely afraid of being empanelled in the list of jurors and of being summoned for such duties because of this economic burden?

(*c*) If the answers to clause (*b*) are in the affirmative, are the Government considering the desirability of revising the present system of payment of travelling, halting and other allowances to the jurors?

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: (*a*) The rules for the payment of a daily allowance to jurors and assessors were published in Notification No. 4666 J., dated the 9th June, 1932 (copy enclosed).

(*b*) (*i*) Yes, but the duty of serving as a juror is one which every qualified citizen owes to the State and Government cannot be expected to meet all expenses in this connection.

(*ii*) Government have no information.

(*c*) Government would like to effect some improvement in the allowances, but feel that there are more urgent needs which ought first to be satisfied. The matter will not be lost sight of.

Notification referred to in clause (a) of unstarred question No. 34.

No. 4666J.—9th June 1932.—It is hereby notified for general information that, in supersession of all previous orders on the subject, the Governor in Council has been pleased to prescribe the following rules

for the payment by Government of a daily allowance to jurors and assessors summoned to attend in criminal trials in Bengal:—

The District Magistrate shall order payment on the part of Government to any juror summoned to attend his Court, and the Sessions Judge shall order payment on the part of Government to any juror or assessor summoned to attend his Court, of an allowance as follows, provided the distance between the place of business or usual residence of the juror or assessor, whichever is nearer, and the Court-house which he attends exceeds 5 miles:—

1. A daily allowance of not less than Re. 1 and not more than Rs. 5, which should not exceed the actual travelling expense, for the first day of attendance at Court or when discharged without being chosen to serve as juror or assessor.

NOTE.—The juror in submitting his bill for the first day of his attendance must submit a full and correct account of his actual travelling cost, the distance travelled and the means of communications availed of, so that the presiding officer of the Court may be in a position to assess the daily allowance for the first day of attendance.

2. An allowance not exceeding Rs. 2 for an ordinary juror or assessor and not exceeding Rs. 3 for a special juror for each day of actual attendance in Court from the second day of his attendance on being chosen to serve as a juror or assessor until discharge.

In the case of a special juror, the presiding officer of the Court should furnish a certificate to the effect that the person was empanelled as a special juror:

Provided that if the trial lasts more than two weeks the presiding officer of the Court may at discretion allow him a daily allowance at an increased rate not exceeding Rs. 5 per diem from the beginning of third week till the date of his discharge.

The date of commencement of the trial should always be noted on the bill:

Provided also that if the trial lasts more than one day, the Court may allow a juror or assessor the same amount for the last day of attendance as was allowed under item 1 above for the first day of attendance.

Ordinarily the amount due to the juror or assessor will be paid when he is discharged, but in protracted trials, the amount due may be paid at the end of each week.

A. G. R. HENDERSON,

Secretary to the Government of Bengal (offg.).

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state in what direction a revision is being thought of in the travelling and other allowance to the jurors?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It does not require any answer.

Dr. NALINAKSHA SANYAL: Is he aware that jurors are not given any daily allowance if they shd not sit with the Judge, even if they are called to the Court and are sent away?

Mr. SIBNATH BANERJEE: Cannot the Hon'ble Minister be supplied with a loud-speaker, so that we may not lose his voice which is very faint?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: If you want to hear me through a loud-speaker you will get it. So far as the cases of jurors are concerned, they are all respectable people and they work as respectable citizens and not for any remuneration for their work, so we cannot think of giving them higher remuneration.

Dr. NALINAKSHA SANYAL: The question of remuneration does not arise. I am talking of travelling allowance.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: Let him finish his speech.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: They only get some travelling allowance when they come from outside 5 miles limit, and those who are within 5 miles get nothing. Members of District Board and Municipal Commissioners get nothing for the work done by them. Exactly in the same way as regards our jurors they are all respectable people, and if they are within 5 miles, they get no allowance. So I do not believe the case which you want to make out, is one that requires any consideration.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that these respectable people are generally trying to avoid the duties of jurors, and others who are otherwise likely to make some profit, try to offer themselves as jurors?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Suppose I say "no"?

Mr. SPEAKER: Suppose I adjourn the House for 10 minutes. (Laughter.)

At this stage the House was adjourned for 10 minutes.

(After adjournment.)

Mr. SPEAKER: The next item will be taken up now. Mr. Suhrawardy.

GOVERNMENT RESOLUTIONS.

Drugs and Medicines to be regulated by Federal Act.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to move that this Assembly is of opinion that it is desirable that—

(1) trade and commerce within the Province in drugs and medicines,

(2) the production, supply and distribution of drugs and medicines,

(3) the adulteration of drugs and medicines,

(4) fees in respect of the matters mentioned in clauses (*1*) to (*3*),

(5) enquiries and statistics for the purpose of the matters mentioned in clauses (*1*) to (*4*),

(6) offences against laws with respect to the matters mentioned in clauses (*1*) to (*5*),

(7) jurisdiction and powers of courts with respect to the matters mentioned in clauses (*1*) to (*6*),

which are among the matters enumerated in the Provincial Legislative List, should be regulated in the Province by an Act of the Federal Legislature.

The honourable members will find that this resolution deals only with drugs and medicines, and the reason is this. In 1927 a motion was made in the Council of State to the effect that, so far as drugs and medicines are concerned, Central Legislation should be undertaken in respect of these. In 1930 a committee was appointed which was a very peripatetic committee. It toured through the whole of India and submitted a very comprehensive report. The report suggested that the Central Government should undertake legislation.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. Is there a quorum?

Mr. SPEAKER: It is being counted. Yes, there is a quorum.

The Hon'ble Mr. H. S. SUHRAWARDY: As I was pointing out, there was a Drugs Enquiry Committee in 1930, which submitted a comprehensive report and suggested that the Central Government should undertake legislation in relation to drugs and medicines. The recommendations of this committee are elaborate, and have been accepted by the Doctors and those interested in drugs and medicines. The Government of India was reluctant to take steps in this connection, and the provincial legislative list included drugs and medicines within the scope of the powers of the provincial legislature. Representations, however, were made to the Government of India and the Central Government was asked to undertake legislation. The Central Government gave its opinion that it was prepared to do so in view of the representations made provided as required by section 103 of the Government of India Act, both the Legislative Houses of this province as well as the legislatures of the other provinces passed resolutions permitting the Government of India to legislate in relation to drugs and medicines.

The resolution, as is now tabled, is a resolution suggested by the Government of India, not only to this legislature but to all the legislatures throughout India, and if the honourable members will be good enough to realise this they will realise that there is really no room for any amendment in respect of this resolution. Some amendments are suggested to enlarge the scope of this resolution. I would request the honourable members not to move these amendments as it is not possible for Government to enlarge the scope of the resolution. The Central Government proposes to legislate on drugs and medicines as reported by the Drugs Enquiry Committee, and any further addition would entail further enquiries which obviously cannot be undertaken at this stage. The resolution which I beg to place before this House is formal and, I hope, will meet with general acceptance.

Dr. NALINAKSHA SANYAL: Sir, I beg to move—

Mr. SPEAKER: Dr. Sanyal, before you move your motion I should like to be satisfied that this is in order.

Dr. NALINAKSHA SANYAL: Then let me know why it is not in order.

Mr. SPEAKER: The position is this. Here is a certain specific matter which is taken out from the purview of this legislature and is being transferred to the control of the Federal Legislature. The question is whether you can extend the scope. I can quite understand that drugs and medicines are matters which can be so sent up, but it seems to me that this amendment is taking away the power of the legislature much more than is actually contemplated.

Dr. NALINAKSHA SANYAL: May I clear up the position, Sir? There are many items which ordinarily pass as chemicals, but which are used as drugs and medicines.

Mr. SPEAKER: Chemicals is a much wider term.

Dr. NALINAKSHA SANYAL: I submit, Sir, that chemicals should come under the Central Government and controlled from the Centre. Here is a proposition of certain items being taken out of the provincial sphere and sent to the Central sphere; that is under the Government of India Act we are adding only one more item which is an allied item.

Mr. SPEAKER: I could quite understand it it was an allied item, but chemical means much more than drugs and medicines and, therefore, it is really extending the scope of exclusion more than what is contemplated. I personally as the Speaker of this House feel that the power of the legislature is as far as possible not taken away. If it is purported that power should be restricted within the scope of the provincial list I am perfectly willing to permit that. What I am afraid of is that the word chemical is a much wider term than drugs and medicines.

Rai HARENDRA NATH CHAUDHURI: If that be your ruling, Sir, that chemicals do not come under drugs or allied drugs then, Sir, it will have the effect of being taken out of the provincial list altogether.

Mr. SPEAKER: Yes, that is so.

Rai HARENDRA NATH CHAUDHURI: In that case, Sir, I submit that Dr. Sanyal's amendment is quite in order, because your interpretation will be acceptable from this point of view that drugs and chemicals come under the same category and therefore come within the scope of the Provincial List. It relates to item 31 of List II (Provincial List). If your ruling be that chemicals do not come under item 31 of List II then it will come under the India List, i.e., List I.

Mr. SPEAKER: You have raised the point whether chemicals is a subject within the purview of the Federal Legislature or the Provincial Legislature. Dr. Sanyal, you must clear the point.

Dr. NALINAKSHA SANYAL: It comes under the concurrent jurisdiction and there may be some likelihood of difference of opinion on this point. Therefore I wanted to make it clear. I may refer to Section 103——

Mr. SPEAKER: You are to refer to the Schedule.

Dr. NALINAKSHA SANYAL: Schedule 7, List 2, that is the Provincial List.

Mr. SPEAKER: You will have to satisfy me on two points. The first point is that chemicals is a subject coming under Provincial Legislature, and it is on this basis that you can bring it to the Federal Legislature for inter-provincial legislation.

Dr. NALINAKSHA SANYAL: Section 103 says "If it appears to the Legislatures of two or more provinces to be desirable that any of the matters enumerated in the Provincial Legislative List should be regulated in those Provinces by Act of the Federal Legislature, and if resolutions to that effect are passed by all the Chambers of those Provincial Legislatures, it shall be lawful for the Federal Legislature to pass an Act for regulating that matter accordingly, but any Act so passed may, as respects any Province to which it applies be amended or repealed by an Act of the Legislature of that Province."

Mr. SPEAKER: You must show that it is in the Provincial List

Dr. NALINAKSHA SANYAL: It is not mentioned either in the Provincial List or in the Central List. Therefore when we have all excisable articles in the Provincial List——

Mr. SPEAKER: But chemicals is not an excisable article

Dr. NALINAKSHA SANYAL: Some chemicals are——

Rai HARENDRA NATH CHOWDHURY: On a point of order, Sir. Your ruling will exclude chemicals from the Provincial List.

Mr. SPEAKER: I am not entering into the question as to whether chemicals is or is not in the Provincial List. I assume that chemicals is a Provincial subject and let me proceed on that assumption. After assuming that it is a Provincial subject, I want you, Dr. Sanyal, to show as to how there is connection between chemicals, and drugs and medicines. Chemicals is a much wider term, and when

you want to take away the power from the Legislature in respect of chemicals, you must show that it is allied to drugs and medicines.

Dr. NALINAKSHA SANYAL: May I submit, Sir, that you wanted to be satisfied on two points. First, whether it is in the Provincial List; supposing it is not, then your difficulty does not arise. If it is so, then I submit that it is up to you, Sir, to see if I am within my rights under Section 103 of the Government of India Act——

Mr. SPEAKER: I think you are making a mistake. For the time being I am not entering into the question of Section 103. The question is whether it is under item 25 of the Agenda.

Dr. NALINAKSHA SANYAL: Under item 25 of the Agenda, there is a provision for certain articles to be excluded from the Provincial List and to be included in the Central List. I am only adding one more. I have given due notice and you have admitted the same. Supposing I give you an independent motion. It is for the House to accept it or not. It is certainly not beyond the scope of the law.

Mr. SPEAKER: I am afraid this motion is not in order. I admit that while it is a perfectly open and legitimate thing to bring in a substantive motion on the subject, it cannot be brought as an amendment.

Dr. NALINAKSHA SANYAL: That is I think with reference to (*a*) but so far as (*b*) is concerned, there is no difficulty.

Mr. SPEAKER: Yes, this is all right.

Mr. NALINAKSHA SANYAL: May I then submit, Sir, that the words "and the levy of excise, octroi or other duties thereon", be added after the word "medicines" in clause (2).

My arguments are very simple. For some years past——

Mr. DEBI PRASAD KHAITAN: May I know, Sir, how the clause stands?

Mr. SPEAKER: It reads like this:—

"This Assembly is of opinion that it is desirable that the production, supply and distribution of drugs and medicines and the levy of excise, octroi or other duties thereon which are among the matters enumerated in the Provincial Legislative List, should be regulated in the Province."

I would only say, as the Speaker of this House, that you are by this amendment taking away the power of taxation from this House.

Dr. NALINAKSHA SANYAL: I know I am.

For the last few years, commercial opinion of this Province has been that in view of certain discriminatory legislation for levy of excise duty in other provinces, some of the Chemical Factories in this Province have been suffering. It has been the experience of the Bengal Chemical that in Bombay discriminatory duties have to be paid on drugs and medicines manufactured in Bengal, so that when they send their drugs and medicines in Bombay, they have to pay higher rates of duty. In the United Provinces, in almost every town, octori duties are levied on manufactures coming from Bengal which octori duties are not levied on locally manufactured drugs and medicines. The result has been that we have been experiencing great difficulties in competing with local manufactures, although technically we are in the same economic unit of India as a whole. Whereas in Bengal we do not have that sort of discrimination, in some other Provinces, such discrimination does exist and the Government of India have for some years past been approached by the Bengal National Chamber of Commerce and by other Chambers of Commerce with a view to get this discrimination removed. I am only seeking that power to be given to the Government of India so that the Government of India may legislate uniformly for the whole of India in these two respects. There is no question of giving the Government of India more power than what is absolutely necessary. It is in the interests of this Province that it is found very much necessary to do so and that is why I propose that these words should be added.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am always prepared to accept reasonable amendments. But at this stage I do not wish to alter the draft which has been sent by the Government of India not only to this Province but to other Provinces. I shall however be glad to forward to the Government of India the remarks that have fallen from the honourable member in this connection and if the Government of India so desire they can incorporate this in the Bill. Moreover, we shall have another chance after the Government of India introduce the Bill in the Central Legislature. They will send it to the Provincial Governments and other bodies for their opinion. At that time, we shall be in a position to consider the question which has been raised by the honourable member and to give our opinion on the matter. I propose to forward this opinion to the Government of India. In view of this, I hope the honourable member will see his way to withdraw his motion.

Mr. NIHARENDU DUTTA MAZUMDAR: If the Hon'ble Minister assures us that he is prepared to take the necessary initiative in the matter without delay, then I might accept the suggestion that has been made by him.

The Hon'ble Mr. H. S. SUHRAWARDY: I have already told the honourable member what initiative I propose to take.

Dr. NALINAKSHYA SANYAL: In view of the assurance given by the Hon'ble Minister, I do not propose to press my amendment.

The motion was then by leave of the House withdrawn.

Mr. SPEAKER: The question before the House is that this Assembly is of opinion that it is desirable that—

(1) trade and commerce within the Province in drugs and medicines,

(2) the production, supply and distribution of drugs and medicines,

(3) the adulteration of drugs and medicines,

(4) fees in respect of the matters mentioned in clauses (*1*) to (*3*),

(5) enquiries and statistics for the purpose of the matters mentioned in clauses (*1*) to (*4*),

(6) offences against laws with respect to the matters mentioned in clauses (*1*) to (*5*),

(7) jurisdiction and powers of courts with respect to the matters mentioned in clauses (*1*) to (*6*),

which are among the matters enumerated in the Provincial Legislative List, should be regulated in the Province by an Act of the Federal Legislature.

The motion was then put and agreed to.

Statistics of employment to be regulated by the Federal Legislature.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I beg to move that "this Assembly is of opinion that it is desirable that the following matters, being matters enumerated in the Provincial Legislative List, should be regulated in this Province by an Act of the Federal Legislature, namely:—

(*i*) statistics of employment;

(*ii*) offences against, and the jurisdiction and powers of courts with respect to, the said Act of the Federal Legislature."

Sir, the result is the outcome of mutual deliberations of the Government of India in consultation with the Provincial Governments and public bodies. The importance of the problem of middle class employment needs no emphasis in this Assembly.

Dr. NALINAKSHA SANYAL: "Employment" or "unemployment"?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: "Employment"—I am sorry "unemployment"—no "employment".

And it cannot be denied that the collection of statistics on the problem of unemployment is necessary towards the direction of remedial measures. The value of the statistics would depend on the completeness of the returns. If, therefore, reliable statistics are to be secured, legislation will be necessary since otherwise industrial concerns may refuse to give the numbers of employed persons, and others may supply incomplete figures. Opinion is practically unanimous in all provinces that this legislation should be Central rather than Provincial, so as to ensure uniformity and avoid Provincial Governments taking different action in the form and method of conducting an enquiry. The type of legislation envisaged is simple. It would enable the Provincial Governments to require such employers as might be indifferent, to furnish certain particulars regarding the qualifications, educational and technical, of certain classes of persons employed or recently employed by them, and would thus provide a penalty for non-compliance. The proposal may be framed so as to give Provincial Governments also power to prescribe terms to prescribe an authority by legislation in general terms as contemplated. The Government of India had been contemplating in large scale industries simultaneous enquiry, restricting the enquiry to organized industries, regulated factories, mines and railways. It is understood that a similar resolutions will be moved in the Legislatures of all other provinces. With these words, Sir, I commend this resolution to the House.

Rai HARENDRA NATH CHAUDHURI: On a point of information, Sir. Is the Hon'ble Minister in possession of any fact to say that other provinces have undertaken such resolutions?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have only been informed that in other provinces they are going to move resolutions of this kind. I cannot say exactly whether it has actually been done by them.

Dr. NALINAKSHA SANYAL: May I move an amendment to the effect that the words "and unemployment" be added after the words "Statistics of employment" in sub-paragraph (*i*)?

Sir, the proposition that has been moved by the Hon'ble Minister in charge has a long history behind it, the history extending over about 2 years now. In the Bengal National Chamber of Commerce, some time ago, we got a note from the Government of India desiring us to give our opinion on this proposition. We made it perfectly clear, Sir, in our reply thereto that to obtain the figures of unemployment is of more vital importance before this country than merely to get a few figures of employment. If the problem, as the Hon'ble Minister has stated, is the problem of middle class unemployment, or unemployment of any other class as a matter of fact, side by side with the number of people employed, we must find out the approximate number of people unemployed; otherwise mere figures of those employed will lead to no useful enquiry at all. I submit that if we confine our enquiry, the statistical investigation, only to the persons actually employed, the whole purpose of the enquiry will be nullified, and the money spent on that statistical investigation will be completely thrown into water. I, therefore, submit that the Government of India be empowered not merely to collect statistics of employment as they have proposed to do, but also to collect statistics of unemployment. I will submit, Sir, that this power can be effectively utilised only by the Central Government, because the present machinery of statistics is largely under their control. Although under the new Act, the Provincial Governments can undertake the collection of statistics of a certain nature, yet the present bureau of statistics of the Government is maintained, particularly the big offices of statisticians, by and under the Government of India; the experts are largely there and the nature of the investigation is such that it may be necessary to extend over 2 or 3 provinces, particularly when we have to investigate into the problems of unemployment in a particular sphere of industry or in a particular sphere of trade. Therefore I plead that the Hon'ble Minister would accept my proposition and allow these words "and unemployment" to be added to the resolution proposed. If these words are left out, I would submit, that the resolution need not be adopted by the House at all, because it will mean nothing. He shall not be in a position to do any justice to the figures so collected and we shall not be in a position to help the unemployment problem of the country, because there will be no figures, no statistics available. With these words, Sir, I commend my amendment for your acceptance.

Mr. NIHARENDU DUTTA MAZUMDAR: In view of what my esteemed friend Dr. Sanyal has already moved by way of amendment, I do not propose moving the first part of my amendment which is the

same as his, but the subsequent part, I propose to move, namely, that at the end of the resolution after the word "Legislature" the following be added, namely:—

"and further that an expert committee be appointed by the Provincial Government to enquire into the aforesaid matters sought to be regulated and to prepare draft suggestions and proposals in this behalf to be forwarded to the Central Government".

Mr. SPEAKER: I hope you will be very short, because I want not to engage the members beyond half past six to-day.

Mr. NIHARENDU DUTTA MAZUMDAR: The problem of unemployment has been explained by my learned friend, Dr. Sanyal, but I wish to bring to the notice of this House, that on the question of unemployment, on previous occasions, assurances have been given by the Hon'ble the Labour Minister and others on behalf of the Government, that the unemployed workers' grievances will be looked into and every step would be taken to give them redress. But I wish to place before this House this fact, that the Government has not even precise information as to the extent of the unemployed, as to the manner in which the figure or the crowd of the unemployed is swelling from time to time. On my return after 3 months' absence, as a guest of Government, I find that over 4,000 men in my constituency who were employed and earning their bread for their family 3 months ago are unemployed to-day as a result of victimization and retrenchment, and I am sorry to say that all the assurances previously given by the Hon'ble the Labour Minister have remained empty, false and as a sort of deceptive assurance given in order not to take any step but only to delude the House and to perpetuate the continuance of this Government. In the course of the last 16 months we have not heard anything from the Hon'ble the Labour Minister or from the Government as to any steps that they had taken with regard to mitigating the problem of unemployment. In the last session, the Hon'ble the Labour Minister in reply to a question put by my esteemed friend Mr. Sibnath Banerjee, replied that he would take immediate steps to employ or to help the unemployed to get re-employed, but I do not know of any steps being taken as yet to implement this promise. It is for the Labour Minister to enlighten this House whether he is even aware of the number of men who have been affected in the course of these 16 months.

The Hon'ble Mr. H. S. SUHRAWARDY: Why! they are even more than 4,000.

Mr. NIHARENDU DUTTA MAZUMDAR: I might have mentioned a lesser figure; it may be more. I would also like to know how many persons he has actually helped, what steps he has taken for the employment or re-employment of these 4,000 men.

Mr. M. A. H. ISPAHANI: On a point of order, Sir. Is the hon'ble member relevant?

Mr. SPEAKER: I was myself cogitating in my own mind whether he was not going beyond the scope of his amendment. The real scope of this amendment of Mr. Mazumdar is to substantiate the case for transference of statistics of unemployed by the Federal Legislature to the Provincial Governments. I know that is Dr. Sanyal's idea too. The second part is that an Expert Committee be appointed to regulate and prepare draft suggestions and proposals. So the inactivity of Government and all talks of victimization have nothing to do with substantiating the case for regulating the aforesaid matters; so you are not in order.

Mr. NIHARENDU DUTTA MAZUMDAR: It is my purpose precisely to point out, to emphasize what has already been stated by the hon'ble member, my esteemed friend Dr. Sanyal, namely, that unless the words "and unemployment" are added and unless some steps are taken to investigate into the extent of the unemployed, it would be futile to pass this resolution from this House.

After passing this resolution I feel Government will hold out the plea that the Provincial Government will have to wait for the Government of India to take certain steps, and the effect of this will be that no initiative will be taken in the matter except empty and vague promises by Government. I, therefore, propose my amendment with a view to taking certain steps which should be immediately done. With that end in view I move my amendment and I commend it to the acceptance of the House. What I have proposed here is merely an Expert Committee to be appointed by Government, so that Government may co-operate with the labour organisations which unfortunately the Hon'ble the Labour Minister is trying to break up, and we offer our co-operation and help to the Government in setting up this Enquiry Committee. Then there will be a really substantial record of work in the interest of the unemployed. I, therefore, feel that the House will realise the importance and urgency of my amendment and accept it as I have commended.

Mr. ABDUR RAHMAN SIDDIQI: Sir, we have listened to the two very interesting speeches, but in my humble opinion both the amendments are redundant and *ultra vires* for this reason that nobody questions that something should be done for the unemployed. All of

us in our different spheres of activity in the public life of the province feel what can be done. But here is a question where the Government of India want their statistics to be kept on an all-India basis, perhaps to be made uniform and perhaps to be brought under certain well-regulated tabulated forms. That is the request made to this House by the Hon'ble Minister. What we shall do about unemployment, how we shall perform our duties, what steps we shall take to find employment for them is not within the scope of the resolution as brought forward. Because these gentlemen only try to find out ways and means to detect any loopholes with a view to bringing forward their pet theories, no amendment has been put forward to the second part of the Hon'ble Minister's proposition. I, therefore, suggest that the resolution, as it is, be accepted by the House, and whenever the learned member from Murshidabad and the worthy representative of the Labour Group here come forward with any proposition for the amelioration of the condition of our unemployed brothers, they will find a hearty response from the other part of the House also.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I refuse to be drawn into the debate which is wholly irrelevant. Mr. Niharendu Dutta Mazumdar has talked about matters of which he does not know much.

Mr. NIHARENDU DUTTA MAJUMDAR: It appears that Mr. Suhrawardy has nothing to point out about his record of work for the unemployed. He stands self-condemned.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am very grateful to the last speaker for what he has said. I maintain that the amendments are not in order because the Government of India——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Is it within the privilege of any Minister to say whether an amendment is in order or not?

Mr. SPEAKER: In a matter like this where I have my doubts,—and I have still some doubt whether it is within the scope of the resolution—I thought that I should allow it to be discussed and leave the matter to the decision of the House. Personally, if I had acted rigidly I would have ruled it out. But I have not done so, because I have not yet been satisfied whether I am in a position to say that you

can justify that it is in order. At the same time, there are arguments that it is in order. That being so, I have allowed it, but I consider that it is perfectly open to any member and any Minister to say that it is not in order, with a view to convince the members of this House in case there was a voting that they could vote either way.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: After the interruption by my honourable friend, I should like to refer to the argument of the honourable member representing Labour that Government have done nothing in regard to unemployment. May I inform him that Government have already appointed an Unemployment Officer who is going into the question of unemployment and will soon submit his report to Government——

Dr. NALINAKSHA SANYAL: So, one man's unemployment has been solved!

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May be, even something at least we have done. What I want to say is that when the Central Government have got the sanction of their Legislature, they will, consult the provincial Governments for their opinion in regard to this matter. At that time Government may appoint an Expert Committee to give their opinion. I have got the fullest sympathy with the mover in regard to his adding the word "unemployment", but I submit that in my humble opinion it is not in order. Therefore, I would request him to withdraw his amendment but if he does not, I will have to oppose it.

Rai HARENDRA NATH CHAUDHURI: May I draw your attention, Mr. Speaker, to Article 38 of the Provincial Legislative List II? It says, "enquiries and statistics for the purpose of any of the matters in the List". If you read that Article with Article 32, you will find that unemployment statistics come under the Provincial List. The Hon'ble Minister in charge labours under the misconception that Mr. Dutta Mazumdar's amendment relates to finding employment for the unemployed——

Mr. SPEAKER: In any case, Mr. Rai Chaudhuri, I have decided to admit the amendment; so, there is no question for the present as to whether it is in order or not.

Dr. NALINAKSHA SANYAL: May I rise to a point of order, Sir, My amendment should come first.

Mr. Khwaja SHAHABUDDIN: May I remind you, Sir, that while the Hon'ble Mr. Speaker is on his legs, nobody can raise a point of order?

Mr. SPEAKER: What is your point of order, Dr. Sanyal?

Dr. NALINAKSHA SANYAL: Sir, Mr. Dutta Mazumdar's amendment relates to the appointment of an expert committee after the word "unemployment" has been added, but if that amendment is first accepted by the House, my amendment will have no effect

Mr. SPEAKER: I am afraid, Dr. Sanyal, you do not look beyond your nose. Your amendment is absolutely independent of the other amendment. If this amendment is carried, it will have no effect on yours. Suppose both are carried. What will be the effect of them? The effect will be that the words 'statistics of unemployment" will be added in paragraph 1, and so far as Mr. Dutta Mazumdar's amendment is concerned, it is after the words "Legislature" in (*ii*). So, there is nothing in your point of order.

The motion by way of amendment, that at the end after the words "by an Act of the Federal Legislature" the following be added, namely:—

> "and further that an expert committee be appointed by the provincial Government to enquire into the aforesaid matters sought to be regulated and to prepare and draft suggestions and proposals in this behalf to be forwarded to the Central Government"

moved by Mr. Niharendu Dutta Mazumdar was then put to the House and lost.

The motion by way of amendment that the words "and unemployment" be added after the words "Statistics of employment" in sub-paragraph (*i*), moved by Dr. Nalinaksha Sanyal was then put to the House and lost.

The question that "This Assembly is of opinion that it is desirable that the following matters, being matters enumerated in the Provincial Legislative List, should be regulated in this Province by an Act of the Federal Legislature, namely:—

(*i*) statistics of employment;

(*ii*) offences against, and the jurisdiction and powers of Courts with respect to, the said Act of the Federal Legislature," moved by the Hon'ble Nawab Khwaja Habibullah Bahadur of Dacca," was then put and agreed to.

A point of Order

(Mr. Speaker called upon the Hon'ble Nawab Musharruf Hossain Khan Bahadur to introduce the Bengal Money Lenders' Bill. 1938.)

Maulvi MUHAMMAD ISRAIL: On a point of order, Sir; This House referred three Money Lenders' Bills to the Select Committee, and the report of this Committee has not yet been submitted to this House. In view of that is it legal that a Bill of this nature can be presented to this House?

Mr. SPEAKER: Well, as a matter of fact, that Bill is a separate Bill altogether from this Bill, and so long as that Bill has not been passed, it is open to any member, official or non-official, to give notice of any other Bill affecting the same matter, and whatever is passed before will have priority. So I think it is perfectly in order.

GOVERNMENT BILL.

Bengal Money-Lenders' Bill, 1938.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I beg to introduce a Bill further to regulate transactions of money-lending in Bengal.

(The Secretary read out the short title of the Bill.)

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Bill be referred to a Select Committee consisting of—

(1) Rai Jogesh Chandra Sen Bahadur,
(2) Mr. Jogesh Chandra Gupta,
(3) Dr. Nalinaksha Sanyal,
(4) Mr. Surendra Nath Biswas,
(5) Mr. Pulin Behari Mullick,
(6) Babu Kshetra Nath Singha,
(7) Mr. Ahmed Hossain,
(8) Mir Mirza Abdul Hafeez,
(9) Maulvi Abdul Hakim,
(10) Maulvi Abdul Bari,
(11) Mr. Fazlur Rahman (Mymensingh),
(12) Mr. Abdulla-Al Mahmood,

(13) Mr. Shah Abdur Rauf,

(14) Maulvi Zahur Ahmed Choudhury,

(15) Khan Sahib Maulvi Syed Muhammad Afzal,

(16) Mr. Syed Abdul Majid,

(17) Mr. Abul Hashim,

(18) Maharaja Sashi Kanta Acharyya Choudhury, of Muktagacha, Mymensingh,

(19) Mr. L. M. Crosfield,

(20) Mr. R. H. Ferguson,

(21) Mr. G. Morgan,

(22) Mr. Shah Syed Gholam Sarwar Hosaini,

(23) Maulvi Aftab Hossain Joardar,

(24) Maulvi Rajibuddin Tarafdar,

(25) Maulvi Md. Mozammel Huq,

(26) Mr. Debi Prosad Khaitan,

(27) Maulvi Md. Israil,

(28) Maulvi Abdul Latif Biswas,

(29) Mr. Atul Chandra Kumar,

(30) Mr. Monoranjan Bannerjee,

(31) Mr. A. M. A. Zaman,

(32) The Hon'ble Mr. Nalini Ranjan Sarker,

(33) The Hon'ble Mr. H. S. Suhrawardy, and

(34) mover,

with instruction to submit their report by the 23rd August, 1938, the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, it is customary, when a Bill is before the House, for the member in charge to deliver a speech which is absolutely unnecessary. The subject which is under discussion is as old as Adam and Eve. So far as money is concerned, it is the only means of exchange between the people. Among the people one man earns more than the other. So naturally there is saving by one, while there may be necessity for money by another. I am not a believer in the theory that everyone is equal. Everyone is not equal. So in the earnings we see the difference, and I do not grudge one man earning more than the other and accumulating some money. But as money is the only means of exchange in the world, money earned by one and accumulated must also find its outlet and must be utilised by others for improving the world business.

Mr. BARADA PROSANNA PAIN: It will be robbery!

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sometimes it is contended that this exchange is being given in loan to others at an usurious rate of interest. That is why we have come forward with this Bill. We do not object to one man earning more than the other and accumulating. There shall be no interference by us in allowing our friends, specially the Leader of the Opposition, earning about 10 or 15 thousand rupees a month. Let them earn; let them accumulate, but the money must not be hoarded anywhere. It ought to be in circulation and that is why lending comes in. But money is intended for doing good to the country, not for doing any wrong to it. So far as the lending of money is concerned, I am sorry to observe that although the institution is a very good one, and although it is by this institution and through the money-lending only that the money can be utilised for the good of the country, sometimes we find that some people have been doing it in a wrong way, and they are exacting more interest than they ought to do. So, Sir, I tell you from the days of Adam up to this day several reformers have come to the world and they always interfered with excessive interest. Our Prophet I must say interfered with this usury and succeeded in putting a stop to all these usurious rates of money-lending, and when he did so, the whole world applauded him. Then gradually this money-lending came into vogue in ancient India as well. But although the *sudjibis*, i.e., those who live on interest, were extremely hated by the average men, the vocation was there. So I think this is a useful institution and it will live as long as the world lasts. If this is interfered with in any way so as to kill the institution altogether, I fear the difficulty of the administration will be enormous. Of course, it is money that is necessary for these purposes. But if you want to utilise money for these purposes you will have to take it from others, and if any of my friends here would try to get this idea from me that I am against money-lending, I want to disabuse him of this idea. I would approve of this system of exchange.

Dr. NALINAKSHA SANYAL: As a Mussalman are you supporting money-lending?

Mr. SPEAKER: Dr. Sanyal, you may desist from passing remarks of this sort.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, in India the first provision about money-lending was introduced in 1839 by the Interest Act XXIII of 1839 and the Usury Laws Repeal Act XXVIII of 1855. So, really speaking, we have started from 1839, and the Interest Act extended the provisions of an English Statute of

William IV, which was made applicable to India—not the wohle of India but to the territories within the control of the East India Company. They made interest allowable in certain cases at rates not exceeding the current rates. Now, the words "current rate" are rather vague. The interest that was allowed in 1931 was the current rate then prevailing, but after that the rate became more and more exorbitant and then the money-lenders got encouragement from Government and High Court. They began investing their money at a higher rate of interest than they ought to have done, and the effect of that has been that the courts were not actually thinking of the unscrupulously high rates of interest. They were allowing decrees for any amount that could be calculated under the contract. In my younger days, while I was practising as a Pleader, there was a case of one Marwari who lent a man only twenty rupees and in five years' time that twenty rupees amounted to, by the simple process of compound interest, a sum of Rs. 500. The poor man in five years' time paid the Marwari hundred rupees and when the case came up before the court, I said this was a very high rate of interest and some relief should have been given to that client of mine if the law was rightly interpreted, because it was nothing but a penalty to allow a higher rate of interest after some time.

Dr. NALINAKSHA SANYAL: What fee did you get for your labour?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Just a small sum (laughter). However, do not put that question because it is not a question of money but one of principle.

As I was saying, when I raised the legal question and told the munsif that the case should be decided in favour of the defendant if he interpreted the law in a proper way and thought that any assessment of a higher rate of interest after certain period of time had elapsed or after certain facts were brought to light was unfair. Unfortunately, Sir, the munsif gave a decree for Rs. 500 against that client of mine, and what was the effect? The entire holding of the man was taken away just for twenty rupees which he got some five or six years before.

During the last forty years, a lot of mischief occurred and the poor people have been deprived of their hearth and home by high rates of interest and after that the people began to be suspicious. The courts' decrees were not considered to be sacrosanct. They began to question the power of the court and they began to say that the courts are not Heavenly Prophets, and then in 1890, really speaking, the Usurious Loans Act of 1880 was passed. With the gradual progress of time came the Usurious Loans Act, 1918, to give additional powers to Courts to deal with cases arising out of usurious loans of money or in kind. It provided for help to debtors in cases of transaction brought to Court

in which the interest charged or realised was excessive and bargains were substantially unfair. What is excessive interest is however left to the Court to deal with and decide on facts and circumstances brought to light in each case and this Act simply indicated the principles to apply for determination of the question of excessive interest and of what is an unfair and unconscionable bargain?

But this did not suffice to meet the popular requirement—the real requirement, that is, to afford the intended protection to deserving debtors against unscrupulous creditors in most instances. The creditors somehow or other avoided the provisions of this statute, demanded excessive interests and cases used to be decided in Courts in their favour.

Sir, this is a note given to me by my office, which includes a District Judge who probably may join the High Court and another, a Subordinate Judge who is just on the point of acting as Sessions Judge. (DR. NALINAKSHA SANYAL: He is reading out a story.) I might say that this story has been given to me by authentic persons and I believe it.

With the economic distress and consequent want of means people were constantly forced to play into the hands of borrowers from whom they were compelled to borrow at exorbitant rates of interest but ultimately failed to clear off the debt and more often than not lost their everything land, house, etc., and in spite of best attempts their liabilities were never to be satisfied although they might have made payments of interest many times the principal of their loans. The Co-operative Societies in the countryside were, of course, there to help the people in the countryside but this help was as all know far from adequate.

The Royal Agricultural Commission (1928) remarked on the failure of the Usurious Loans Act and reported for an enquiry in the matter. The Provincial Banking Enquiry Committee made this enquiry in 1929-31 revealing in their report startling facts as to the prevalence of usury and high and unconscionable rates of interest being supported by Courts in spite of the Act. Cases of extortion were also brought to notice. Many of the recommendations of this Committee were considered in the Bengal Money-lenders' Act, 1933, which is now a law of the land——

Mr. SPEAKER: The Hon'ble Minister will now kindly finsh his speech.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes, I will finish it now. But we think that it is not sufficient and so the present Bill has been introduced with a view to give relief not only to agricultural debtors as was done in the past but also to all classes of people fixing a rate of interest which according to the circumstances of

the case now ought to prevail in the country. We have fixed that rate but it is not sufficient. It is for you to decide whether the Government proposal is right or wrong. If you think that the matter is one which requires revision, you will have every opportunity of revising it, but so far as the main provisions are concerned, you will find that they are in order With these words, I commend my motion to the acceptance of the House.

Maulvi MUHAMMAD ISRAIL: On a point of privilege, Sir. This House had the privilege to instruct the Select Committee to submit the report as soon as possible. The Select Committee to which the Money-lenders' Bill was referred have completed their labours more than a week ago but the report of that Committee has not yet been presented to the House. May I know——

Mr. SPEAKER: I have no information. If there had been a definite time-limit fixed, I could have looked into the matter, but since there is no such time-limit, I cannot help it. I have just now been informed that so far as that Bill is concerned, it is a non-official Bill and therefore the report of the Select Committee on the Bill will come up on a non-official day. Non-official days have not yet been fixed and when they are fixed, it will come up.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. May I just point out that under section 59 of the Rules, it is necessary that the names of the members of the Select Committee should be read out, but the Hon'ble Minister has not named the members.

Mr. SPEAKER: I have taken them as read.

Mr. DEBI PROSAD KHAITAN: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st August, 1938

You will be pleased to remember, Sir, that this Bill has a short history behind it. Unfortunately for it whenever this subject-matter comes up for consideration before this House, it is reached at the fag-end of the day when everybody is impatient and does not want to apply his mind to it. On the last occasion the Private Money-lenders Bills were reached at about 8 o'clock and in an indecent haste, as I would call it, they were referred to a Select Committee——

Mr. SPEAKER: I think that is a reflection on the House. Mr. Khaitan, I would ask you to withdraw the expression.

Mr. DEBI PROSAD KHAITAN: All right, Sir, I withdraw it. What I mean to say is that it was brought up in such a hurry that the Bills could not be properly considered before they were referred to a Select Committee consisting of not less than 35 persons, as if 35 persons can join their heads together to consider an important matter in a Select Committee. You will remember, Sir, that these Bills were full of difficulties—difficulties that were constitutional, difficulties that were legal, and—I would go as much as to say—difficulties that were of a moral nature. In spite of that fact, without a patient hearing being given to those difficulties, the Bills were rushed through to a Select Committee. Now, Sir, this Bill again which has been drawn by the Government, is being rushed forward in a manner that cannot enable proper consideration to be given to it by this House. Sir, recently this Bill was published in the *Calcutta Gazette* and circulated among the Chambers of Commerce, and they were asked to express their opinions on this difficult and important matter within a week from the receipt of a copy of the Bill from the Government. I would ask the Government to say, Sir, how long did they take to prepare this Bill and whether it is possible for any responsible body of individuals to give full consideration to this important Bill and the many repercussions that arise out of the same, within a period of seven days, to enable them to express their responsible opinion on a measure of this kind. Sir, it may be true that the Government consist of omniscient people who do not require to make any enquiries whatsoever, to consider what repercussions a certain measure may have on the channels of credit in the province, what effect it may have on the debts that have already been advanced and what results might accrue from it in the matter of the development of trade, industry and agriculture of this province. Sir, without adequate consideration being given to all these points of view, it is not fair either to the Government themselves who brought forward this measure, nor is it fair to the persons who are affected by this measure, nor is it fair to the general public who are sure to be affected by an important measure of this kind. Sir, can anybody in the Government stand up and say that they have been able to give full consideration to the many aspects of a problem of this kind? I am sure, Sir, that no responsible person can stand up before this House and say that adequate enquiry has been made by them into the various aspects of a legislation of this character. Sir, all that I want is that this Bill should be circulated for public opinion, and in order to give an assurance to the Government that I do not want to play dilatory tactics, I fix the date as only 31st August to receive the opinion of the people who are interested in this measure. Sir, I find that even the Select Committee is asked to report by the 23rd August. We are to-day on the 5th August; so only 18 days remain, but for all practical purposes, it will not be possible even for the Select Committee to report so early and also having regard to the fact of "no-confidence,"

motion notice of which has been given to this House, it will not be possible for the Select Committee to meet in any event before the 11th or 12th of this month. Sir, is it possible for a Select Committee of 35 members to consider the provisions of this Bill carefully and come to deliberate and careful conclusions within a period of 10 days and report to this House? But more than that, Sir, I find an amendment on the Order paper coming from one responsible Minister and another influential member of the Coalition Party, that the Select Committee should submit their report by the 15th of this month. Sir, the appointment of this Select Committee would be absolutely illusory if they are asked to report either by the 15th August or the 23rd August. I hope, Sir, that the Government will show a greater responsibility in a matter of this nature and not try to think that they are omniscient, but realise that there is value in getting public opinion on important measures of this character.

Dr. NALINAKSHA SANYAL: I beg to move that from the personnel proposed in the Select Committee the following names be omitted, namely:

(1) Rai Bahadur Jogesh Chandra Sen,

(2) Dr. Nalinaksha Sanyal,

(3) Mr. Pulin Behary Mallick,

(4) Maulvi Abdul Bari,

(5) Mr. Abdulla-Al-Mahmood,

(6) Maulvi Zahur Ahmed Choudhury,

(7) Maulvi Abul Hashim,

(8) Mr. L. M. Crosfield,

(9) Mr. Shah Syed Golam Sarwar Hosaini,

(10) Maulvi Aftab Hossain Joardar,

(11) Maulvi Md. Mozammel Huq,

(12) Maulvi Muhammad Israil,

(13) Mr. Manoranjan Bannerjee,

(14) Mr. A. M. A. Zaman, and

(15) The Hon'ble Mr. H. S. Suhrawardy.

In moving my motion I am actuated by only one and a very fundamental question of principle. Sir, if the House will remember, every time when big committees have been proposed I had tried to convince the House of the futility of referring Bills and questions to very big committees which are not only unwieldy in character but also unworkable in practice, and sometimes the members are chosen in such a manner that practically no work of any serious nature can be possible.

I do not want to cast any reflection on the ability or otherwise of any member whose name or names I have proposed to be omitted. I have only selected some names at random, more or less, and I have kept those members' names only whom I felt necessary to retain,—having had the experience of Select Committees' sittings of the previous Private Money-lenders Bills. I have kept on the names of those who appeared to me to be taking some active interest in those Bills. Of course, I do not mean also to say that there are not some in the list of names I have proposed to be deleted who did not take active interest or had not held important positions. I have only taken up the names on the belief that these members would not mind withdrawing on considerations of certain higher and nobler reasons. Some of them have expressed their desire to agree with me that a Bill of this nature particularly a measure of this character, should not be left to a big committee which cannot take matters up very carefully section by section, but rather to a small committee of men who will be in a position to examine the propositions more carefully. I have only one other word to add. It is this: if in our own affairs of the Assembly we are not prepared to act as persons sufficiently responsible, if we are not capable of showing to the people outside that we do not mean to incur unnecessary expenses, how can we expect others to effect economy in handling the tax-payer's money. I hope you will all agree with me, therefore, in the proposal that I have made. It is up to us, Sir, to say that we are as much anxious for economy and as much anxious for business-like methods as anybody else outside, and as such we have been demanding strictest economy of the Government and the officers of the Government. With these words, Sir, I submit that this motion be accepted by the House without a division. I know that this is a matter which may affect the sentiments of certain members, and I appeal to them to shake off their sentiments in the interest of economy, interest of good business and in the interest of work; because I know that the manner in which the work of the previous members' committee of 35 members was conducted, was nothing short of what may be termed as "scandalous". Let us see that that scandal is not repeated. I had been unfortunately then at Darjeeling and I saw how this meeting of the previous Select Committee was conducted. It was something for which every one who had some sense of responsibility to the rate-payers and tax-payers of the province, should feel very much ashamed, and I appeal to you when you want to have this committee, at least to reduce the number to a reasonable figure, say, 18 and 19 instead of 35. With these submissions I commend my amendment for the acceptance of the House.

The Hon'ble Mr. H. S. SUHRAWARDY: I beg to move that in the motion for reference of the Bill to the Select Committee, for the figures and words "the 23rd August", the figures and words "the 15th August" be substituted.

Sir, the amendment is self-explanatory, and I have nothing more to say.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I oppose the motion for circulation of my honourable friend Mr. Debi Prasad Khaitan——

Mr. NARENDRA NARAYAN CHAKRABARTY:

সভাপতি মহাশয়, আপনি এর পূর্বে একটা নির্দ্দেশ দিয়েছেন যে যাঁরা ভালো ইংরেজি জানেন তাঁরা বাংলায় বোলতে পারবেন না, এই প্রসঙ্গে আর একটা নির্দ্দেশও দেওয়া দরকার যে যাঁরা ভালো ইংরেজি জানেন না তাঁদের বাংলায় বোলতে হবে।

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I am sorry, my friend complains about my English. He ought to know that the statement I am making comes from a man of responsible position, and if instead of quarrelling over just one or two words here and there which may seem inappropriate to him, he had given a patient hearing, he would have seen that the language of the man who is speaking now is in no way inferior to that of any other person. (Hear, hear! from the Opposition Benches.)

The Hon'ble Mr. H. S. SUHRAWARDY: How can a person who cannot express himself in any language other than Bengali be able to judge the language of my friend who is speaking in English?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Be that as it may, I may say that Mr. Khaitan was a member of the Select Committee that considered the three private Bills, and he took interest in the matter and it was at his suggestion and request and probably through his help that this Bengal Money-lenders' Bill has been brought here. I, therefore, simply appeal to him not to go out of his own way now but to——

Mr. DEBI PROSAD KHAITAN: May I rise, Sir, to a word of personal explanation? I did not suggest to the Hon'ble Minister that my opinion should be obtained. What I have suggested to him is that public opinion should be obtained.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: But as a member of the Select Committee, Mr. Khaitan knows very well that it was at his suggestion and also at the suggestion of the other members present there that this Government Bill has been brought up. You submitted the materials and our people simply worked it out. As regards obtaining public opinion, we have already done so by consulting several banks and associations——

Dr. NALINAKSHA SANYAL: What about the borrower?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not think that they need be consulted. But so far as the banks are concerned, they have given their opinion. The Indian Chamber of Commerce of which Mr. Khaitan is a member has given the opinion that the rates of interest should be 9 and 12 per cent., and that suggestion has been embodied in the present Bill. That being so, there is no reason why I should accept the present motion of my friend Mr. Khaitan, and I therefore oppose it.

The motion by way of amendment of Mr. Debi Prosad Khaitan that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st August, 1938, was then put and lost.

The motion of Dr. Nalinaksha Sanyal that from the personnel proposed in the Select Committee the following names be omitted, namely:—

(1) Rai Bahadur Jogesh Chandra Sen,
(2) Dr. Nalinaksha Sanyal,
(3) Mr. Pulin Behary Mullick,
(4) Maulvi Abdul Bari,
(5) Mr. Abdulla-Al Mahmood,
(6) Maulvi Zahur Ahmed Choudhury,
(7) Maulvi Abul Hashim,
(8) Mr. L. M. Crosfield,
(9) Mr. Shah Syed Golam Sarwar Hosaini.
(10) Maulvi Aftab Hossain Joardar,
(11) Maulvi Md. Mozammel Huq,
(12) Maulvi Muhammad Israil,
(13) Mr. Manoranjan Bannerjee,
(14) Mr. A. M. A. Zaman, and
(15) The Hon'ble Mr. H. S. Suhrawardy,

was also put and lost.

Mr. ABDUR RAHMAN SIDDIQUI: Before this motion is put to the House, may I enquire whether it is proper for a member of the Cabinet to propose an amendment of a Bill brought before the House by the Cabinet as a Government measure?

Mr. SPEAKER: I shall give my decision next week; but for the time being, as it is there, I am putting it to the House.

The motion of the Hon'ble Mr. H. S. Suhrawardy that in the motion for reference of the Bill to the Select Committee, for the figures and words "the 23rd August", the figures and words "the 15th August" be substituted, was then put and agreed to.

The original motion of the Hon'ble Nawab Musharruff Hossain, Khan Bahadur, as amended, viz., that the Bill be referred to a Select Committee consisting of—

(1) Rai Jogesh Chandra Sen Bahadur,
(2) Mr. Jogesh Chandra Gupta,
(3) Dr. Nalinaksha Sanyal,
(4) Mr. Surendra Nath Biswas,
(5) Mr. Pulin Behari Mullick,
(6) Babu Kshetra Nath Singha,
(7) Mr. Ahmed Hossain,
(8) Mir Mirza Abdul Hafeez,
(9) Maulvi Abdul Hakim,
10) Maulvi Abdul Bari,
11) Mr. Fazlur Rahman (Mymensingh),
12) Mr. Abdulla-Al Mahmood,
13) Mr. Shah Abdur Rauf.
14) Maulvi Zahur Ahmed Choudhury,
15) Khan Sahib Maulvi Syed Muhammad Afzal,
16) Mr. Syed Abdul Majid,
17) Mr. Abul Hashim,
18) Maharaja Sashi Kanta Acharyya Choudhury, of Muktagacha, Mymensingh,
19) Mr. L. M. Crosfield,
20) Mr. R. H. Ferguson,
21) Mr. G. Morgan,
22) Mr. Shah Syed Gholam Sarwar Hosaini,
23) Maulvi Aftab Hossain Joardar,
24) Maulvi Rajibuddin Tarafdar,
25) Maulvi Md. Mozammel Huq,
26) Mr. Debi Prosad Khaitan,
27) Maulvi Md. Israil,
28) Maulvi Abdul Latif Biswas,
29) Mr. Atul Chandra Kumar,

(30) Mr. Monoranjan Bannerjee,

(31) Mr. A. M. A. Zaman,

(32) The Hon'ble Mr. Nalini Ranjan Sarker,

(33) The Hon'ble Mr. H. S. Suhrawardy, and

(34) mover,

with instruction to submit their report by the 15th August, 1938, the number of members whose presence shall be necessary to constitute a quorum shall be five, was then put and agreed to.

Statement by Mr. Speaker about the business of the House for Monday, the 8th August 1938.

Mr. SPEAKER: I may say that I have just been informed that the Bengal Legislative Council meets at 2-15 p.m., on Monday next, and will go on till 3-30 p.m. It will be necessary on that day that at least one hour will be taken to cope with the rush of visitors. So I propose that this Assembly should meet at 4-45 p.m.

Then, what I am trying to do is to allow as few questions as possible so that the whole time will be available for a full discussion of the important motions for that day. On the next day, the motions will be put to the vote of the House.

Dr. NALINAKSHA SANYAL: How long are we going to sit on Monday next?

Mr. SPEAKER: Till 8 p.m. and not later than that.

Adjournment.

The House was then adjourned till 4-45 p.m., on Monday, the 8th August, 1938, at the Assembly House, Calcutta.

APPENDIX

Statement laid on the Table on the 29th July, 1938, containing Replies to Questions unanswered or not fully answered in the February-April Session, 1938.

APPENDIX

Replies to Questions unanswered (both starred and unstarred).

Employment of released detenus.

1. Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to to state—

(*a*) whether the Government are aware that the released detenus have no occupation or employment for them;

(*b*) whether there is any bar to giving Government employment to detenus who are qualified and within age;

(*c*) if the answer to (*b*) is in the affirmative, do the Government propose to remove the bar; and

(*d*) if the answer to (*b*) is in the negative, do the Government contemplate absorbing at least a portion of these released detenus in the various departments of the Government?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Government are aware that unemployment exists among them.

(*b*) No.

(*c*) Does not arise.

(*d*) If eligible, they are free to apply for vacancies in the prescribed manner, and they will receive consideration on their merits in common with other applicants.

Babu Hem Chandra Sen, Sub-Deputy Collector of Court of Wards Department, Rangpur.

2. Babu NARENDRA NARAYAN CHAKRABARTY: Will the Hon'ble Minister in charge of the Home (Appointment) Department be pleased to state—

(*a*) whether there is any Government circular to the effect that the Government officers should not generally be allowed to remain in one station for more than three years;

(*b*) for how long has Babu Hem Chandra Sen, Sub-Deputy Collector of Court of Wards Department, been in the district of Rangpur;

(*c*) whether it is a fact that after the transfer of Babu Hem Chandra Sen for a short period, he was again transferred to Rangpur;

(*d*) if so, was the retransfer made on a reprsentation made by him to the Government;

(*e*) whether it is a fact that a sessions case was started under sections 120B, 477A and 409, Indian Penal Code, at the instance of the former Sub-Deputy Collector and the Manager against one Girija Sanker Roy; Tashildar, under Mahishkochor of the Kakina Ward's Estate, and was subsequently withdrawn;

(*f*) whether it is a fact that a loan of Rs. 1,100 taken from Babu S. N. Chanda for the Lahiry Estate was not entered in the cash book and this was not reported to the Collector but was subsequently detected and brought to the notice of the Collector by the Deputy Collector who officiated for Babu Hem Chandra Sen during his absence;

(*g*) whether any official enquiry was held about the conduct of Babu Hem Chandra Sen; and

(*h*) if the answer to (*g*) is in the affirmative, will the Hon'ble Minister be pleased to state the result?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes, there is a circular, dated the 15th February, 1930, directing that, save in exceptional circumstances, Sub-Deputy Collectors should not be left for more than 3 years in the same post.

(*b*) Babu Hem Chandra Sen was promoted to the Bengal Civil Service (Executive) in 1934. He was in Rangpur from the 15th August, 1934, till the 27th February, 1938, when he went on leave preparatory to retirement.

(*c*) No.

(*d*) Does not arise.

(*e*) The case was started before Babu Hem Chandra Sen joined at Rangpur. Later, the District Magistrate sanctioned withdrawal of the case in consultation with the Public Prosecutor.

(*f*) The loan was a private loan taken by the proprietors of the Estate with the cognizance of the Collector. The question of entering it in the cash book did not arise.

(*g*) No.

(*h*) Does not arise.

Agricultural education, demonstration, research, publicity, etc., in 24-Parganas.

3. Khan Bahadur A. F. M. ABDUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what the Department of Agriculture has done in the following heads in the district of the 24-Parganas with special reference to the Basirhat subdivision:—

(*i*) Agricultural education;

(*ii*) Demonstration;

(*iii*) Research;

(*iv*) Publicity;

(*v*) Cattle improvement;

(*vi*) Subsidiary employment for agriculturists;

(*vii*) Assistance to agriculture; and

(*viii*) Consolidation of holdings?

(*b*) Whether the Department of Agriculture has any comprehensive scheme in view to improve the condition of the agriculturists of the district with special reference to the Basirhat subdivision?

(*c*) If so,

(*i*) what are the details of the scheme: and

(*ii*) when it will be given effect to?

The Hon'ble Nawab Bahadur Khwaja HABIBULLAH, of Dacca: (*a*) (*i*) Agricultural classes have been opened on the lines of the Punjab Scheme in three schools in the 24-Parganas district. One of these is the Niramisha Middle English School near Deganga in Basirhat subdivision.

(*ii*) *Demonstration.*—Union Board Farms were started in the Basirhat subdivision in the year 1936-37 in the following six places:—

(1) Sayestanagar,

(2) Sangrampur,

(3) Itinda,

(4) Sankchura,

(5) Maitrabagan, and

(6) Ghoraras.

It is understood that these will continue to work this year also.

Besides this, departmental crops (viz., Cd. 213 sugarcane, Patnai paddy Gosaba 23, Dhairal, Kataktara and Charnock *aus* paddies, and

other departmental recommended crops) were demonstrated through private persons, amongst whom the following may be mentioned:—

(1) Dr. K. C. Bose,

(2) Mr. S. Mitra in his Hasnabad area, and

(3) Meju Mian of Kholapota.

(*iii*) *Research.*—No research work is possible in the district of 24-Parganas at present. It is hoped, however, that before long a District Agricultural Farm will be established, and this will enable the department to test out types of crops and manures suitable for this area.

(*iv*) *Publicity.*—Leaflets on departmental varieties of crops, preparation of artificial farmyard manure, etc., were distributed free by the Agricultural Demonstrators. Agricultural and Jute Restriction films were shown through the Publicity Department in many places of the Basirhat subdivision. Lectures on improved agriculture were delivered by the Agricultural Demonstrators and the District Agricultural Officer in the Exhibition held at Dhankuria in the subdivision.

(*v*) *Cattle improvement.*—Eight stud bulls will shortly be distributed in eight Union Boards of the Basirhat subdivision to give effect to the Cattle Improvement Scheme initiated by Government. An Assistant Live Stock Officer for the district has been appointed, together with a Live Stock Officer for the two districts of Howrah and 24-Parganas.

(*vi*) Training in various cottage and small-scale industries is being given through demonstration parties and peripatetic schools under the Industries Department. So far as the Agricultural Department is concerned, I have under consideration schemes on fruit-farming, goat-breeding, poultry-multiplication, etc., which, when given effect to, will benefit the district of 24-Parganas.

(*vii*) Seeds and manures were supplied free to all the Union Board Farms mentioned in item No. (*iv*) above.

(*viii*) This is an important but difficult question which I am investigating in consultation with the Revenue and Co-operative Departments.

(*b*) and (*c*) There are four Demonstrators posted to the 24-Parganas district, of whom one is for the Basirhat subdivision. Each Demonstrator will this year establish three demonstration circles within his area, each circle to comprise as many cultivators as possible. These cultivators will be supplied with free seed and manures and all departmental recommended crops, both *kharif* and *rabi*. The making of artificial farmyard manure and silage will also be undertaken. Improved implements will also be demonstrated. In addition, each Demonstrator will establish one Union Board Farm in his area, which will eventually prove, it is hoped, to be a seed-supply depot lying between the District Farm and the cultivator.

Baharek Satyasram.

4. Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) if the ban on Baharek Satyasram has been removed; if not, why not;

(*b*) if the bid sheet referred to in the reply to clause (*h*) (*i*) of starred question No. 360 of the 30th September, 1937, is available now;

(*c*) if the Government are now ready with reply to starred question No. 360 (*h*), (*vii*) and (*viii*) and (*i*) (1) and (2) of the said question; and

(*d*) if so, what is the reply?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) The attention of the hon'ble member is drawn to the Press Note, dated the 3rd March, 1938. It has not yet been found possible to remove the ban on the Baharek Satyasram, but the matter is under consideration.

(*b*) The bid sheet is not available.

(*c*) Yes.

(*d*)—(*h*) and (*vii*) The District Magistrate ordered the sale of the materials (movable) under section 17 (B) (8) of the Criminal Law Amendment Act, 1932.

(*h*) (*viii*) After deducting Rs. 28 as cost of dismantling the houses Rs. 170-10 was deposited at Munshiganj Sub-Treasury on the 22nd December, 1933, as Criminal Deposit.

(*i*) (1) As there were no articles of property except the huts themselves there was no necessity for making a search list.

(*i*) (2) Does not arise.

Circle Officer at Kendua, Mymensingh.

5. Mr. ABUL HOSAIN AHMED: (*a*) Will the Honb'le Minister in charge of the Home Department be pleased to state whether it is a fact that an enquiry was made against the conduct of the Circle Officer at Kendua in the district of Mymensingh by the Police in the latter part of 1937 or early this year?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the charges against that officer have been substantiated; and

(*ii*) if so, what action, if any, has been taken against him either by his departmental superior or by the Government?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) No.

(*b*) Does not arise.

Administration of the Calcutta University.

6. Mr. ABDUR RAHMAN SIDDIQI: In view of the allegations made on the floor of the House regarding the administration of the University of Calcutta will the Hon'ble Minister for Education be pleased to state whether he is prepared to consider the desirability of making an inquiry into the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: The answer is in the negative.

Baby Show at Dinajpur.

7. Mr. NISHITHA NATH KUNDU: (*a*) Is the Hon'ble Minister in charge of the Home Department aware of a Baby Show held at Dinajpur between the 4th and the 10th April, 1937, at the instance of the District Magistrate?

(*b*) Will the Hon'ble Minister be pleased to state whether any executive officer or officers personally took part in collection of or directed any collection of funds for the show?

(*c*) If the answer to (*b*) is in the affirmative—

(*i*) who were these executive officers;

(*ii*) whether any account has been rendered; and

(*iii*) if so, whether the said account has been audited and published for the examination of the public?

(*d*) Is it a fact that a female dancer was engaged in the show?

(*e*) Has anything of a permanent character been done for the local babies with the fund collected?

(*f*) If so, of what nature?

(*g*) What was the total amount collected for the show?

(*h*) What was the amount spent for engaging the dancing girl?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) No.

(*c*) (*i*) Does not arise.

(*ii*) Yes.

(*iii*) The accounts have been completed, but have not yet been audited.

(*d*) Professor Mani Burdhan, the famous oriental dancer, was engaged to give two performances for purposes of collection. He had an Australian lady-artist in his party.

(*e*) The best method of using the fund has not yet been settled. The Baby Show was only part of a larger exhibition.

(*f*) Does not arise.

(*g*) Rs. 1,855-12.

(*h*) Nothing.

Detenu Jogesh De.

8. Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state—

(*a*) whether Jogesh De, a detenu interned at Deoli Camp, was suffering from fever off and on since 1936;

(*b*) whether his blood was examined there and found B. T. positive;

(*c*) whether he was having a course of injection treatment for the same while at Deoli;

(*d*) whether before the completion of the course he was transferred to Berhampore and from there again he was sent to Dhaniakhali—a village in the district of Hooghly;

(*e*) whether the Hon'ble Minister is aware that Dhaniakhali is malaria-stricken place;

(*f*) whether it is fact that he is getting there a monthly allowance of Rs. 25 only;

(*g*) whether the Hon'ble Minister is aware that the allowance is not adequate for the maintenance and treatment of the detenu;

(*h*) whether it is a fact that he is suffering from slight fever and occasional cold there;

(*i*) whether it is a fact that in January last he made a petition either to increase his allowance or to transfer him to his home at Naria (district Faridpur), a healthy and malaria-free place;

(*j*) whether on January 27th an I. B. Inspector went to him to make enquiries;

(*k*) whether it is a fact that after that a reminder was sent in February but nothing has been done yet; and

(*l*) whether the Government contemplate his immediate release or transfer to his native place?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*), (*b*) and (*c*) So far as appears from his medical history the answer is in the negative.

(*d*) Does not arise.

(*e*) My information is that it is in no way remarkable for malaria, and at this season is not unhealthy.

(*f*) Yes.

(*g*) No.

(*h*) No complaint has reached me or the local authorities.

(*i*) and (*j*) Yes.

(*k*) and (*l*) After due consideration he was informed that his prayer for an enhanced allowance was rejected and it has been decided not to send him to his home at present.

Promotion of members of the Bengal Civil Service (Executive Branch).

8. Mr. JASIMUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Home (Appointment) Department be pleased to lay on the table—

(*i*) a copy of the rules regulating promotion of the members of the Bengal Civil Service (Executive Branch) to the listed posts, reserved for members of the Indian Civil Service; and

(*ii*) a list of candidates, prepared by the Government, as being fit and eligible for such posts?

(*b*) Will the Hon'ble Minister be pleased to state whether there has been recently any departure in the method of selection for and in filling up of these posts?

(*c*) If so—

(*i*) from what date such departure has been made; and

(*ii*) what is the cause for such departure?

(*d*) Is the Hon'ble Minister aware that there is a feeling of discontent amongst the members of the Bengal Civil Service (Executive Branch) on account of present method of promoting juniors in preference to seniors resulting in the supersession of many senior officers?

(*e*) Is it a fact that representation has been made by the Bengal Civil Service Association (Executive Branch) in accordance with the resolutions passed at their annual general meetings against such supersession?

(*f*) Is it a fact that an order has been passed by the Secretary of State debarring candidates from being promoted to the listed cadre, who would not have full three years' term of service under the Government after such promotion?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) A copy of the Government of India, Home Department, Notification No. F. 438, dated the 30th March, 1922, is placed on the table.

(*ii*) I am not prepared to publish any such list.

(*b*) No.

(*c*) Does not arise.

(*d*) I am aware that some officers are dissatisfied because they have not yet been promoted.

(*e*) The Association has at different times made representations asking for the promotion of junior officers and objecting to such promotion.

(*f*) The Secretary of State has laid down no hard and fast rule on the point.

Notification referred to in the answer to clause (a)-(i) of the above question.

NOTIFICATION.

ESTABLISHMENTS.

Delhi, the 30th March, 1922.

No. F. 438.—In exercise of the power conferred by sub-section (2) of section 99 of the Government of India Act, and in supersession of the rules published in the Home Department Notification No. 598-Establishments, dated the 21st June, 1918, the Governor-General in Council is pleased to prescribe the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council of India:—

1. With the previous sanction of the Governor-General in Council and of the Secretary of State in Council the Local Government may, by notification in the official gazette, declare the number of superior executive and judicial offices, being offices ordinarily filled from

amongst the members of the Indian Civil Service, to which, subject to the provisions of sub-section (1) of section 99 of the Government of India Act, persons not being members of the Indian Civil Service may be appointed.

2. Within the limit of number declared under rule 1 the Local Government may appoint—

(*i*) to a superior executive office a member of the Provincial Civil Service subordinate to the Local Government;

(*ii*) to a superior judicial office a member of the Provincial Civil Service subordinate to the Local Government, or a person who at the time of the appointment is—

(*a*) a barrister of England or Ireland or a member of the Faculty of Advocates in Scotland; or

(*b*) a vakil, pleader, advocate or attorney of a High Court in India; or

(*c*) a pleader or advocate of a chief court or of a judicial Commissioner's Court; or

(*d*) a pleader of a district court; and in respect of such qualification is of not less than five years' standing.

3. Notwithstanding anything contained in rule 2, the Local Government may, within the limit of number declared under rule 1, appoint to superior executive or judicial office any person not having the qualifications prescribed for such office by rule 2:

Provided that the number of persons so appointed shall not amount to more than 15 per cent. of the total number of superior offices declared under rule 1.

4. The Local Government may, by notification in the local official gazette, declare the number of inferior offices, being offices required under the provisions of section 98 of the Government of India Act to be filled from amongst the members of the Indian Civil Service, to which, subject to the provisions of sub-section (1) of section 99 of the said Act, persons not being members of the Indian Civil Service may be appointed.

5. Within the limit of number declared under rule 4, the Local Government may appoint to an inferior executive office any person having the qualifications prescribed by rule 2 for appointment to a superior executive office, and to an inferior judicial office any person having the qualifications prescribed by rule 2 for appointment to a superior judicial office.

6. The Local Government shall consult the Public Service Commission before making any appointment (other than an officiating appointment) under rule 2, rule 3 or rule 5.

7. In addition to appointments made under the foregoing rules, whenever the exigencies of the public service so require, the Local Government may, subject to the provisions of sub-section (1) of section 99 of the Government of India Act, appoint for a period not exceeding twelve months, any person not being a member of the Indian Civil Service to any office ordinarily filled from amongst the members of the Indian Civil Service. The Secretary of State for India in Council may, however, sanction the continuance of any such appointment for such period as he may fix, having regard to the exigencies of the public service.

8. The Local Government may declare any person appointed under these rules to be appointed on probation only, and may prescribe the terms and conditions of such probation.

9. The Local Government may at any time suspend and remove any person whom it has appointed to any office under these rules.

H. TONKINSON,

Joint Secretary to the Government of India.

Administration of Port quarantine, seamen's and marine hospitals.

10. Mr. ABDUR RAHMAN SIDDIQI: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the administration of port quarantine, seamen's and marine hospitals and hospitals connected with port quarantine at the Port of Calcutta were administered by Local Government, till December, 1937?

(*b*) If so, will the Hon'ble Minister be pleased to state the following during the period of its administration:—

(*i*) the annual reserve accumulated in the Hospital Port Dues Fund at Calcutta during the last five years ending December, 1937;
utilised;

(*ii*) in what manner the amount collected in the Fund was being utilised;

(*iii*) whether the unexpended balance of these reserves was brought forward from year to year;

(*iv*) whether any credit for interest was given to these reserves;

(*v*) the amount which was annually realised as total receipts from the Hospital Dues Fund;

(*vi*) what portion of the proceeds of this Fund was utilised for the benefit of European seamen and what portion for the benefit of Indian seamen; and

(*vii*) whether any portion of unexpended balance of the amount of the War Reparation Fund set apart for the benefit of Indian seamen who suffered injury or loss during the last war was available?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) Yes.

(*b*) (*i*) to (*vi*) All records have been transferred to the Government of India and this Government are therefore not in a position to give any information on these points.

(*vii*) The War Reparation Fund has all along been administered by the Central Government. This Government are not therefore in a position to give any information on this subject.

Dog racing at Behala.

11. Mr. SYED JALALUDDIN HASHEMY: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether dog racing has been recently started in Calcutta; and

(*ii*) whether the sanction of the Government was obtained before starting dog racing?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Minister be pleased to state who was the authority giving sanction and issuing the necessary licence?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the Government are aware that a series of public meetings were held to protest against the introduction of dog racing; and

(*ii*) whether there is a growing public opinion against it?

(*d*) If so, are the Government contemplating the prohibition of dog racing?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes.

(*ii*) No.

(*b*) An application was submitted to the District Magistrate, 24-Parganas, for the staging of an exhibition of dog racing and the District Magistrate raised no objection as such an exhibition is not illegal.

(*c*) No.

(*d*) When it came to the notice of Government that there was betting at the stadium the promoters were given time to wind up the business and they did so with effect from 10th January, 1938.

12. Mr. BARADA PROSANNA PAIN: (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware that at Behala in the district of 24-Parganas, a stadium has been opened for greyhound racing?

(*b*) Was this stadium opened by the Hon'ble Chief Minister of Bengal?

(*c*) Is it a fact that there are several enclosures in the stadium, in each of which betting goes on in Totalisators, in contravention of the Bengal Public Gambling Act?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state why no criminal proceedings have so far been instituted in the matter?

(*e*) Is it a fact that permission to open a stadium in Calcutta was refused by the Commissioner of Police on the ground that it will be illegal?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) Yes.

(*c*) I understand there are several enclosures in the stadium. As the Public Gambling Act does not now apply to the area covered by the stadium, the betting which goes on is legal.

(*d*) When it came to the notice of Government that there was betting at the stadium the promoters were given time to wind up the business and they did so with effect from the 10th January, 1938.

(*e*) No.

13. Mr. P. BANERJI: Will the Hon'ble Minister in charge of the Home Department be pleased to state who authorised dog racing in Behala and why it has been temporarily suspended?

The Hon'ble Khwaja Sir NAZIMUDDIN: An application was submitted to the District Magistrate, 24-Parganas, for the staging of an exhibition of dog racing and the District Magistrate raised no objection as such an exhibition is not illegal. The racing was suspended when it came to the notice of Government that there was betting within the enclosure.

Complaint against the Subdivisional Officer at Balurghat.

14. Mr. NISHITHA NATH KUNDU: (*a*) Is the Hon'ble Minister in charge of the Home (Appointment) Department aware that Babu Pramatha Nath Neogi, Mukhtear; Balurghat, complained against the Subdivisional Officer of Balurghat about the treatment accorded to him and his clients?

(*b*) If so, what steps, if any, have been taken in the matter of such complaint?

(*c*) Is it a fact that the said Subdivisional Officer passed an order that the said Mukhtear and his brother, also a Mukhtear, would not be allowed to stand surety in Courts for any sum whatsoever?

(*d*) Is it also a fact that the application for renewal of licence for 1938 was held up for 7 days and that bails were refused in bailable offences in case of the clients of the said Mukhtear?

(*e*) Is it a fact that the attention of Government has been drawn to a judgment of the District Judge of Dinajpur in connection with a bail application in Sridar Sardar in Criminal Miscellaneous Petition No. 5 of 1937 suggesting the need of an enquiry?

(*f*) If so, what steps, if any, are contemplated to be taken by Government in the matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) No action was considered necessary.

(*c*) Yes, as ordered by the District Magistrate, Dinajpur.

(*d*) The application which was submitted two months late, was held up on account of the Subdivisional Officer's absence on tour, bail was not refused in bailable offences.

(*e*) No.

(*f*) Does not arise.

Howrah Union Board election.

15. Khan Sahib Maulvi S. ABDUR RAUF: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that in the district of Howrah the Union Board election of this year has been stopped by the Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state why and for how long the said election has been postponed?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) A general instruction was issued on the 15th December, 1937, advising local officers throughout the province to postpone Union Board elections.

(*b*) This instruction was withdrawn on the 21st January, 1938.

Employees in the Jails Department.

16. Mr. MD. ABUL FAZL: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to lay on the table a statement showing—

(*i*) the total number of employees in the Jails Department; and

(*ii*) the number of them that are Mussalmans?

(*b*) Will the Hon'ble Minister be pleased to state whether it is a fact that in recent appointments in the Jails Department, viz., the posts of Head Clerk and Factory Overseer of the Dum-Dum Central Jail—

(*i*) junior Hindus have been promoted superseding the claims of Mussalman clerks; and

(*ii*) that some of them are related to the Personal Assistant to the Inspector-General of Prisons?

(*c*) Will the Hon'ble Minister be pleased to state the reason why no Musalmans were appointed to the 9 posts of Deputy Jailors?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Inclusive of warder establishment 2,508.

(*ii*) 467.

(*b*) The post of the Clerk has been filled by promoting a Hindu clerk above 6 Hindu and 2 Muhammadan clerks. As regards the Factory Overseer the claims of no Muhammadan clerks have been superseded. The Factory Overseer alone is related to the Personal Assistant to the Inspector-General.

(*c*) The appointments to the posts of 9 temporary Deputy Jailors were made by selection according to fitness for the special duties of the posts. One Muhammadan jail clerk was selected and opportunities given to act as temporary Deputy Jailor but was found to be unsuited to the work.

Complete replies to questions not fully answered (both starred and unstarred).

Admission of students in the Kurigram Guru Training School, Rangpur.

17. Mr. JATINDRA NATH CHAKRABARTY: (*a*) Is the Hon'ble Minister in-charge of the Education Department aware that about 90 candidates appeared at the last test examination for admission to 40 seats in the Guru Training School of Kurigram, district Rangpur?

(*b*) Is it not a fact that amongst the successful candidates in the said examination there were many Hindus including Scheduled Castes pupils?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state how many of the successful candidates were—

(*i*) Hindus including Scheduled Castes; and

(*ii*) Muhammadans?

(*d*) What were the respective positions of the successful candidates with their names in the said test examination according to merits?

(*e*) Is it a fact that selection of candidates is always made on the result of the test examination?

(*f*) Is it a fact that all the 40 seats in the said Guru Training School have been allotted to Muhammadan candidates?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reasons as to why the Hindus and Scheduled Castes have been excluded from admission; and

(*ii*) whether the Hon'ble Minister is considering the advisability of enquiring into the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 541, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) Only 65 candidates sat for the said examination and not 90.

(*b*) No.

(*c*) (*i*) Four, including 2 belonging to the Scheduled Castes.

(*ii*) 24.

(*d*) A statement is placed on the table of the House.

(*e*) No. The age of the candidate, his length of service, his qualifications and whether he is a *bona fide* teacher, are factors which are also taken into consideration.

(*f*) Yes.

(*g*) (*i*) They have not been excluded from admission. In previous years Hindu Gurus admitted to different Guru Training Schools in the district found it difficult to bear the cost of messing expenses owing to their insufficient number in each. Complaints were made regarding the exorbitant establishment charges which they had to pay and on this plea they used to live outside. Their progress of study also suffered much for this. With a view to mitigate their hardships and avoid other difficulties, the Hindu candidates were permitted this year to join the Nilphamari Guru Training School.

(*ii*) Does not arise.

Statement referred to in the answer to clause (d) of starred question No. 541.

	No.	Passed.
Kurigram Centre—		
Total Gurus examined	65	
Hindus	12	4
Muhammadans	53	24
	65	28

A list of successful candidates for admission into Guru Training Schools at Kurigram Centre—arranged in order of merit for the year 1938.

Serial number.	Names.	Marks secured out of 100.	Place.
1	Md. Afazuddin	89	1st.
2	Mamtazuddin Ahmed	80	2nd.
3	Tamizuddin Sheik	77	3rd.
4	*Krishna Mohan Baisnab	73	4th.
5	Md. Badiazzaman	73	4th.
6	Md. Afan Ali	71	5th.
7	Md. Abdur Razzak	67	6th.
8	Md. Reazuddin Mondal	67	6th.
9	Maqbul Ahmed	64	7th.
10	Sarfarej Ali	64	7th.
11	Md. Khaleruddin	64	7th.
12	Aftab Hossain Ahmad	63	8th.
13	Mahammad Ali	60	9th.
14	Abdul Karim Sircar	60	9th.
15	*Nabin Chandra Barman	60	9th.
16	*Big Kanta Deb Singha	60	9th.
17	Md. Sahebulla	57	10th.
18	*Dina Nath Barman	56	11th.
19	Mahammad Safiuddin	54	12th.
20	Md. Abdul Wahed	54	12th.
21	Md. Fazar Ali	54	12th.
22	Md. Giasuddin	53	13th.
23	*Mainuddin Ahmed	53	13th.
24	Nesabuddin	52	14th.
25	Ahamed Ali	50	15th.
26	Shah Abdur Rezzak	47	16th.
27	Abdul Hossain Khondkar	46	17th.
28	Maniruzzaman	45	18th.

*Indicates the names of successful Hindu candidates with their marks and places.

Recruitment of Police Sub-Inspectors from Scheduled Castes.

18. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether there has been any direct recruitment of any Sub-Inspector of Police from the Scheduled Castes of the Dacca district? If not, why not?

(*b*) How many temporary or permanent Sub-Inspectors of Police are there at present from the Scheduled Castes of the Dacca district?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 516 of the 8th April 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) Yes.

(*b*) There are two such permanent Sub-Inspectors in the Bengal Police Force.

Traffic control at the Sadarghat and Katgolaghat in Burdwan.

19. Mr. ADWAITA KUMAR MAJI: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state why there is no police arrangement to control traffic at the Sadarghat and Katgolaghat in Burdwan?

(*b*) Is it a fact that—

(*i*) there prevails heavy obstruction with carts; and

(*ii*) that no action has been taken on the public appeal in the matter?

(*c*) Are the Government considering the desirability of taking steps in the matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 423C, dated the 7th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table

(*a*) No necessity for police arrangements at these places has ever been felt as there was not a single case of obstruction reported either by any individual or any public body.

(*b*) (*i*) No.

(*ii*) Does not arise.

(*c*) Not at present.

Allegations against certain police officers of the Jalpaiguri district.

20. Babu KHAGENDRA NATH DAS GUPTA: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether it is a fact that a rice merchant named Panchanan Pande of Siliguri was mortally wounded on the 7th February last on Sevoke-Siliguri Road about 19 miles off from the Rajganj thana of the Jalpaiguri district and made a dying declaration at Siliguri Hospital making certain allegations?

(*b*) Is it a fact that investigating officers of the Rajganj thana (Jalpaiguri district) arrested two forest guards of the Salugara Range and two Pahari Khalasis of the Darjeeling-Himalayan Railway in this connection?

(*c*) Is it a fact that there were witnesses at Siliguri in connection with the incident but they were never called up by the investigating officers to indentify the assailants?

(*d*) Is it a fact that the investigating officers made no enquiries in the town?

(*e*) Is it a fact that all who were arrested were subsequently let off on the final report submitted by the police?

(*f*) Is it a fact that the incident occurred out of an altercation due to an attempt to realise grazing taxes from carters who pass by the Kalimpong-Sevoke-Siliguri Road through Salugara Range of the Baikunthapur Forest?

(*g*) Is it a fact—

(*i*) that the Sevoke Government *hat* is gradually growing into importance;

(*ii*) that the *ijaradar* of the Salugara *hat* situated about 8 miles off and the Forest Department of the Salugara Range are realising tols and grazing taxes for the last few months from the bullock and buffalo carts that pass by the Salugara *hat* along the Siliguri-Sevoke Road;

(*iii*) that the carters are resenting to pay these charges; and

(*iv*) that there were a number of altercations and the carters made oral complaints to the Subdivisional Officer, Siliguri

The Hon'ble Khwaja Sir, NAZIMUDDIN: With reference to starred question No. 510, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) A certain Panchanan Pande of Siliguri received wounds on the 7th February on the 7th mile of the Siliguri-Sevoke Road from which he subsequently expired at Siliguri Hospital; no dying declaration was made by him

(*b*), (*e*), and (*f*) Yes.

(*c*) and (*d*) No.

(*g*) (*i*), (*iii*) *and* (*iv*) Yes.

(*ii*) For some time this was so; but it has since ceased.

Cases against certain workers of trade unions in Uluberia Court.

21. Mr. SIBNATH BANERJEE: Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—

(*a*) how many cases have been instituted during last 6 months under section 107, Criminal Procedure Code, on the workers of trade unions;

(*b*) whether it is a fact that in Miscellaneous case No. 67 of 1937 in Uluberia Court Abdul Quader, Bidyut Neogy, Gani, Jahani, Gutuk Mondol and some others were bound down and asked to produce two securities of Rs. 150 each;

(*c*) whether they are in jail for over 5 months for their inability to produce the security; and

(*d*) whether the Government contemplate their release now unconditionally in view of the punishment they have already undergone?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 506 of the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) The question of the hon'ble member is so vague that it is not possible for me to give a reply.

(*b*) Out of 17 persons prosecuted, Abdul Kader Azad, Bidyut Neogi and some others, ten in all, were bound down under section 107, Criminal Procedure Code, and ordered to execute a bound of Rs. 300 each with two sureties of Rs. 150 each to keep the peace for one year on the 1st November, 1937, by the Subdivisional Magistrate, Uluberia.

(*c*) On an appeal being preferred, 2 of the accused were ordered to be discharged by the Sessions Judge, Howrah. Order against the others was upheld. Four are at present in jail while the rest were released, necessary bail bonds having been furnished.

(*d*) No.

Construction of a bridge and a culvert on the railway embankment and road near the Serajganj station.

22. Mr. ABDULLA-AL-MAHMOOD: (*a*) Is the Hon'ble Minister in charge of the Communications and Works (Railways) Department aware that the inhabitants of some 9 or 10 villages between the stations Serajganj Bazar and Serajganj made repeated representations to the Railway authorities for the construction of a bridge and a culvert on the railway embankment and road near the Serajganj station on the Eastern Bengal Railway?

(*b*) Are the Government considering the desirability of drawing the attention of the Railway authorities to these matters?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: With reference to starred question No. 366, dated the 7th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) Yes.

(*b*) After thorough investigation it has been found that this Government will not be justified in asking the Railway authorities to construct the culvert and the bridge wanted by the people. The question may easily be settled if arrangement be made for introducing water on to the area in question from the Telkapi *khal* by means of a connecting channel. Probable cost of the scheme excluding the land charges would not be much and this may be taken up by the people likely to be benefited. The local Irrigation officer, who is the Executive Engineer, Nadia Rivers Division, Berhampore, will give any technical advice if required.

Extension of service granted to employees in the office of the Inspector of Schools, Dacca.

23. Maulvi ABDUL LATIF BISWAS: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that frequent extensions of service are given to the employees in the office of the Inspector of Schools, Dacca Division?

(*b*) If so—

(*i*) how many in that office are at present on extension of service;

(*ii*) for how many times have they been in enjoyment of extensions; and

(*iii*) when will the term of their present extensions expire?

(*c*) Whether Government contemplate taking steps to prevent such extensions of service?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 521 dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) Extensions of service are given when considered necessary in the interest of public service.

(*b*) (*i*) Two.

(*ii*) One extension in the case of one officer and four in the case of the other.

(*iii*) On the 16th July, 1938, and the 5th June, 1938, respectively. (But a further extension for one year has been sanctioned in each case.)

(*c*) The extension of service on each occasion is given in the public interest. Government do not consider that any modification of the existing rule is at present called for.

Allowances to certain detenus.

24. Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state why the following released detenus have not been given any allowance in conformity to the present policy of Government, namely—

(1) Kshitish Das;

(2) Paresh Dutt;

(3) Bibhuti Guha;

(4) Kshamesh Chatarji;

(5) Gopal Kumud Sarswati;

(6) Jitendra Lahiry;

(7) Kumud Ray;

(8) Shibnath Samajdar;

(9) Sachindra Chakrabarty;

(10) Jyotis Sen; and

(11) Kalidas Ghatak?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 424, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

There is no detenu of the name of Kalidas Ghatak in whose case an order under section 2(*1*) of the Bengal Criminal Law Amendment Act has been passed. Allowances were paid in the cases of the other individuals named except Babu Shibnath Samajdar who was released so long ago as March, 1937, and whose case did not therefore come within the purview of the policy announced by Government.

Allegation against certain Government officers of Dacca.

25. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—

(*i*) how many Government servants from how many departments of Government including those in the Civil and Criminal Administration of Justice serve on remuneration on every Saturday during race course season at the Dacca Gymkhana Race; and

(*ii*) is it a fact that all courts, civil or criminal, close down at 1 p.m. or some time before on every Saturday during race course period at Dacca?

(*b*) If the answer to (*a*)(*ii*) is in the affirmative, what does the Hon'ble Minister propose doing to remove inconvenience to the litigant public?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 511, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table

(*a*)(*i*) Civil—Two clerks, 1 typist and 1 copyist.

Criminal—Six clerks.

(*ii*) No. Civil and sessions courts do not close early and magisterial courts rarely do so.

(*b*) No inconvenience is caused to litigants.

River Marasati in Rangpur.

26. Mr. JATINDRA NATH CHAKRABARTY: (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that there is no bridge between mile posts 4/5 and 4/6 on the Bengal Dooars Railway between the railway stations Lalmonirhat and Aditmari to permit the flow of water in the river Marasati in the district of Rangpur;

(*ii*) that there is water-logging in the area; and

(*iii*) that the public health and agriculture of the locality have been affected?

(*b*) If the answer to (*a*) is in the affirmative, what steps do Government propose taking to ensure undisturbed flow of the water in the said area during the rainy season?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: With reference to starred question No. 503, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) There is no bridge between mile posts 4/5 and 4/6.

(*ii*), (*iii*) and (*b*) A survey of the area said to be affected in the rainy season due to water-logging will be made by the Railway authorities before arrangement for any opening is made in the railway bank lest there be a diversion of the existing river course.

"Poor Fund" in the Police Department.

27. Babu RADHANATH DAS: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state that there is a fund by the name of "Poor Fund" in the Police Department?

(*b*) If so, what acts of charity and other beneficent acts are done with the said Fund?

(*c*) Is there any account kept regularly of the said Fund?

(*d*) If so, will the Hon'ble Minister be pleased to lay on the table a statement of the account?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 423E, dated the 7th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) There is a "Poor Box" maintained by the Commissioner of Police, Calcutta.

(*b*) Assistance is given to destitute persons, and, I understand, to some charitable institutions.

(*c*) Yes.

(*d*) No. This is not a public fund under the control of Government.

Amendments to the Bengal Agricultural Debtors Act, 1935.

28. Maulvi JONAB ALI MAJUMDAR: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) in how many cases the civil courts of Chandpur, Tippera, had accepted notices under section 34 of the Bengal Agricultural Debtors Act, 1935, after sales were held and passed stay orders;

(*ii*) in how many of such cases they have afterwards vacated such orders after the expiry of one month's time from the dates of sales for confirmation of the same; and

(*iii*) whether he is aware that those stay orders have been vacated without giving any notice to the judgment-debtors concerned?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: With reference to starred question No. 172(*a*), dated the 10th March, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*i*) 105.

(*ii*) 91.

(*iii*) No notice was issued to the judgment-debtors but the Debt Settlement Boards concerned were duly informed when such stay orders were vacated.

Percentage of Hindus and Moslems in Educational Services and on study leave.

29. Mr. ABDULLA-AL-MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the total number of officers—

(1) Hindus, and

(2) Muhammadans in Class I, in Bengal Educational Service and Subordinate Educational Service; and

(*ii*) the number of Hindus and Muhammadans that were sent abroad on study leave till to-day?

(*b*) Will the Hon'ble Minister be pleased to state what action, if any, the Government have taken or do they propose taking to increase the number of Muslims?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 543, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) Number as stood on 30th April, 1938—

Service	Hindu	Muslim.
Bengal Senior Educational Service—		
Men's Branch	... 20	15
Women's branch	... 2	Nil
Bengal Educational Service—		
Men's Branch	... 117	61
Women's Branch	... 9	4
Subordinate Educational Service	... 814	622

(*ii*) Hindu ... 1
Christian ... 1
Muslim ... 1

(*b*) In making direct appointments, Government reserve the right to call for recommendations from the Public Service Commission for nomination of suitable qualified Muslims for appointment in any vacancy with a view to securing that the percentage of Muslims in the Bengal Senior Educational Service is at least 33⅓ per cent. and in the Bengal Educational Service at least 40 per cent. of its total strength, provided that for the purpose of this percentage, the men's and the women's branches shall be considered as separate.

The question of the reservation of a reasonable proportion of appointments in the Subordinate Educational Service for the Muslims is under consideration in connection with the question of formation of Recruitment Rules for the various branches of the Subordinate Educational Service.

Officers of the Intelligence Branch, Criminal Investigation Department, etc.

30. Mr. ABUL HOSAIN AHMED: Will the Hon'ble Minister in charge of the Home Department be pleased to state the number of persons holding offices, district by district, in the Intelligence Branch, Criminal Investigation Department, District Intelligence Branch and Protective Department in Bengal under the following heads:—

Officers.	Total	Number of Caste Hindus.	Number of Scheduled Castes.	Number of Muslims.
Inspectors.				
Sub-Inspectors.				
Assistant Sub-Inspectors.				
Constables.				

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to starred question No. 513, dated the 8th April, 1938, to which an *ad interim* reply was given, complete reply is laid on the table.

A statement is laid on the table.

Statement referred to in the answer to starred question No. 513, showing the number of subordinate police employed in the Intelligence Branch, Criminal Investigation Department, and District Intelligence Branches on 1st January 1938.

Branch.	Inspectors				Sub-Inspectors				Assistant Sub-Inspectors				Constables.			
	Total	Number of caste Hindus	Number of Scheduled Castes.	Number of Muslims	Total	Number of caste Hindus	Number of Scheduled Castes	Number of Muslims	Total	Number of caste Hindus	Number of Scheduled Castes.	Number of Muslims	Total.	Number of caste Hindus.	Number of Scheduled Castes	Number of Muslims.
Intelligence Branch	17	16	..	1	73	65	..	8	40	35	..	5	76	61	..	15
Criminal Investigation Department	27	21	..	6	25	22	..	3	8	6	1	1	33	19	1	13
District Intelligence Branch—																
24-Parganas	2	2	..	.	5	5	..	.	4	2	..	2	22	20	..	2
Nadia	1	1	.	..	1	1	..	..	3	3	..	..	12	21	..	1
Murshidabad	1	1	..	..	2	2	..	..	3	3	..	..	10	9	..	1
Jessore	1	1	..	..	2	2	..	..	3	3	..	..	10	9	1	..
Khulna	1	1	..	..	2	2	..	..	4	3	..	1	9	7	..	2
Howrah	1	1	..	..	3	2	..	1	4	4	..	..	21	18	1	2
Hooghly	1	1	..	..	4	4	..	..	4	2	2	..	12	10	..	2
Midnapore	2	2	..	..	6	6	..	..	6	5	.	1	28	22	..	6
Burdwan	1	1	..	..	2	2	.	..	4	3	..	1	11	8	..	3
Birbhum	..	..	..	..	3	3	..	..	3	3	..	..	9	5	..	4
Bankura	..	..	..	..	3	3	..	..	3	2	1	..	7	5	..	2
Dacca	4	4	..	..	10	6	..	4	9	7	..	2	43	33	..	10
Mymensingh	2	2	..	..	8	8	..	..	6	4	..	2	31	25	..	6
Faridpur	2	2	..	..	5	4	1	..	4	1	..	3	21	17	1	3
Bakarganj	2	1	1	..	5	4	1	..	4	3	1	..	21	20	...	1

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Percentage of teachers of different castes in Government and aided high schools.

31. Maulvi MIRZA ABDUL HAFIZ: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of the high English schools in the—(1) district of Mymensingh and (2) whole province of Bengal;

(*ii*) the number of the Government and Government aided high English schools separately; and

(*iii*) the number of (1) caste Hindu teachers, (2) Scheduled Caste teachers, and (3) Muhammadan teachers in them?

(*b*) Are the Government considering the desirability of raising the percentage of teachers belonging to Scheduled Castes and Muslims?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 503D, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) (1) 77 and (2) 1,383.

(*ii*) Government schools 46, and Government aided schools 401.

(*iii*)		In Government schools.	In Government aided schools.
(1)	.. ..	396	4,716
(2)	.. ..	6	195
(3)	.. ..	255	1,379

(*b*) In filling up vacancies the claims of members belonging to the Scheduled Castes and of the Muslims are carefully considered.

Appointment of teachers in the free primary schools in Tangail sub-division.

32. Mr. MIRZA ABDUL HAFIZ:

* * * * *

(*a*) (*iv*) (1) The number of the old teachers that have been appointed;

(2) the total number of the old teachers; and

(3) the number of Muslim and non-Muslim old teachers separately (A) that have been appointed, and (B) that have not been appointed?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 544 (*a*) (*iv*) (1), dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*iv*) (1) 620.

(2) 1,050.

	Muslim	Non-Muslim.
(3) (A) ...	447	173
(B) ...	267	61

N. B.—The numbers of old teachers that have been declared eligible for appointment but not yet provided for are 76 Muslims and 26 non-Muslims.

Managing Committee of mufassal high schools.

33. Mr. MD. BARAT ALI: (*a*) Is the Hon'ble Minister in charge of the Education Department aware

(*i*) that Muhammadan teachers are not elected members of the Managing Committee from among the teachers staff of the mufassal high schools owing to inadequate representation on the staff; and

(*ii*) that the guardians' representatives are not taken in an adequate number?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of amending the Education Code by making provision for the reservation of seats for Muhammadan teachers and guardians?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 520, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) and (*ii*) Yes, but in the case of guardians, it is understood that the University will be prepared to consider the question of reservation of seats for Moslems if the Managing Committee so desire.

(*b*) Yes. This question will be considered as soon as the proposed Board of Secondary Education comes into existence.

Grant-in-aid to the Darirampur High English School in Mymensingh.

34. Maulvi ABDUL HAKIM:

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(*f*) If the answer to clause (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the memorial was considered; and

(*ii*) if so, what was the decision thereon?

* * * * * * *

(*h*) If the answer to clause (*g*) is in the affirmative, will the Hon'ble Minister be pleased to state what decision has been arrived at after his visit?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 539 (*f*) and (*h*), dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

* * * * * * *

(*f*) and (*h*) Grants-in-aid to high English schools are sanctioned by the Divisional Inspectors of Schools. The Inspector of Schools, Dacca Division, has been instructed to sanction a suitable monthly grant for the school out of the additional allotment for grant-in-aid, placed at his disposal during the current financial year.

Creation of Wakfs in the khas mahal areas in Jalpaiguri.

35. Khan Bahadur Maulana AHMED ALI ENAYETPURI:

* * * * * * *

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table copies of such prohibitory orders with the reasons thereof?

(*c*) For how long will such prohibitory order remain in force?

(*d*) How many of *wakfs* had to be cancelled owing to such orders?

(*e*) Whether the Government are considering the desirability of taking steps for the immediate cancellation of such prohibitory order?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 528, clauses (*b*) to (*e*), dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

* * * * * * *

(*b*), (*c*), (*d*) and (*e*) It is reported that in 1932 the petition of one Osimannessa, wife of Dil Md. of Odlabari village in Mainaguri Tahsil for permission to create a *wakf* was rejected. The papers of the Deputy Commissioner concerning this case have, however, been missing since 1935. I regret, therefore, it is not possible to ascertain in what circumstances the petition was rejected.

Representation of Scheduled Castes in the Dacca University Court.

38. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether there is any Scheduled Castes representative in the Dacca University Court or in the Dacca Intermediate Board of Secondary Education?

(*b*) If not, why not?

(*c*) Is there any stipendiary seat or seats or free-studentships reserved for the girls of the Scheduled Castes in Eden High School and Kamarunnessa Girls' School including their college branches at Dacca?

(*d*) If not, do the Government contemplate the desirability of doing so at an early date?

(*e*) The total number of free-studentship or college stipends in the Jagannath Intermediate College at Dacca for the last 5 years?

(*f*) How many of them are enjoyed by caste Hindu students, Muslim students, and Scheduled Caste students?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 519, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) No.

(*b*) The Provincial Government have no say in the constitution of the Dacca University Court. In regard to the Board of Intermediate and Secondary Education, Dacca, as the Board is only temporary and as its main function is the control of Intermediate and Secondary Education in the small area of Dacca University, it was not considered necessary to include any representative of Scheduled Castes in it.

(*c*) and (*d*) There are no stipends reserved for the girls of the Scheduled Castes in the Eden High School and the Kamarunnessa Girls' School including college classes.

In the Eden High School, the girls of the educationally backward classes, which include most of the Scheduled Castes, are allowed free-studentships, subject to a minimum of 2, up to an annual limit of 15 per cent. of their enrolment. In the college classes attached to the school, students belonging to the Scheduled Castes and educationally backward classes are allowed in addition to such number as they may

receive from the general free-studentships, special free-studentships up to an annual limit of 5 per cent. of their respective enrolments. Pupils belonging to the educationally backward classes in the Kamarunnessa Intermediate College and School are allowed free-studentships subject to a minimum of 2, up to an annual limit of 15 per cent. of their enrolment.

(*e*) and (*f*) A statement is laid on the table of the House.

Statement referred to in the reply to clauses (e) and (f) of starred question No. 519.

JAGANNATH INTERMEDIATE COLLEGE, DACCA.

	Hindus.	Scheduled Castes.	Muhammadans.	Christians.	Total.
1933-34 total admissions into the—					
1st year . .	222	25	34	2	283
2nd year . .	89	4	20	..	113
Total . .	311	29	54	2	396

Total number of concessions granted to 14 students from the College: 9 to caste Hindus, 3 to Scheduled Castes and 2 to Muhammadans

	Hindus.	Scheduled Castes.	Muhammadans	Christians	Total.
1934-35 total admissions into the—					
1st year . .	221	12	40	1	274
2nd year . .	79	6	11	..	96
Total	300	18	51	1	370

Total number of concessions granted to 19 students from the College: 12 to caste Hindus, 6 to Muhammadans and 1 to Christians.

	Hindus.	Scheduled Castes.	Muhammadans	Christians.	Total.
1935-36 total admissions into the—					
1st year	254	37	58	..	349
2nd year	59	3	12	..	74
Total . .	313	40	70	..	423

Total number of concessions granted to 20 students from the College: 13 to caste Hindus, 3 to Scheduled Castes and 4 to Muhammadans.

	Hindus.	Scheduled Castes.	Muhammadans.	Christians.	Total.
1936-37 total admissions into the—					
1st year	298	44	85	2	429
2nd year	84	7	18	..	109
Total ..	382	51	103	2	538

Total concessions granted to 24 students from the College : 14 to caste Hindus, 4 to Scheduled Castes and 6 to Muhammadans.

	Hindus	Scheduled Castes	Muhammadans.	Christians.	Total.
1937-38 total admission into the—					
1st year	401	38	111	2	552
2nd year	84	8	15	..	107
Total	485	46	126	2	659

Total concessions granted to 28 students from the College : 19 to caste Hindus, 2 to Scheduled Castes and 7 to Muhammadans.

Appointment of non-Bengalis to Government services.

37. Maulvi ABDUL HAKIM: (*a*) Is the Hon'ble Minister in charge of the Finance Department aware of a resolution passed by the old Legislative Council in August, 1933, to the effect that none but Bengalis or persons domiciled in Bengal would be appointed in services of the Government of this Province so long as suitable Bengalis or persons domiciled in Bengal are available?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any non-Bengalis or men not domiciled in Bengal have been appointed in the Secretariat and attached offices of this Government temporarily or permanently in the superior services (both gazetted and non-gazetted) since then?

(*c*) If so, will the Hon'ble Minister be pleased to state—

(*i*) the number of such appointments;

(*ii*) the names of the posts;

(*iii*) the dates of such appointments;

(*iv*) the qualifications of the persons so appointed; and

(*v*) the reasons for such appointments?

(*d*) Is the Hon'ble Minister considering the desirability of making no such appointments in future?

(*e*) Is the Hon'ble Minister aware of an increasing unemployment in the province?

The Hon'ble Mr. NALINI RANJAN SARKER: With reference to starred question No. 502, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*), (*b*) and (*d*) Yes.

(*c*) A statement is laid on the table.

(*e*) There is widespread unemployment, but I am not aware whether it is actually on the increase.

Statement referred to in the answer to clause (c) of starred question No. 502.

Department.	Number of appointments.	Name of post.	Date of appointment.	Qualifications of candidate.	Reasons for appointment.
(1) Finance Department	10	5 Assistants and 5 Stenographers	(1) 6th April, 1935 (2) 16th April, 1936 (3) 8th January, 1937 (4) 1st April, 1937 (5) 26th July, 1937 (6) 11th December, 1937 (7) 15th December, 1937 (8) 15th January, 1938 (9) 23rd February, 1938 (10) 17th March, 1938	They possessed the requisite qualifications for their respective appointments.	Success in competitive examinations, which are open to all candidates irrespective of domicile. The appointments were made in different departments under allotment by the Finance Department.
(2) Department of Commerce and Labour	1	Electric Inspector, Bengal	2nd January, 1936	Passed (1) Higher National Certificate Examinations in Electrical Engineering and (2) the City and Guilds Final in Electrical Engineering, had several years practical experience	No qualified Bengali or Bengal-domiciled candidate was available.
(3) Department of Public Health and Local Self-Government, Medical Branch	2 (Both officiating appointments in the post of Surgeon-General's Stenographer—one for 2 days and the other for 27 days)	..	(1) 31st January, 1936 (2) 3rd February, 1936		
(4) Department of Communications and Works, Buildings Branch.	1	Assistant Government Architect.	17th April 1936	Associate Royal Institute of British Architects with several years practical experience. Holder of the Arthur Cates prize in town planning.	Non-availability of a suitable Bengali or Bengal-domiciled candidate.
(5) Department of Agriculture and Industries	1	Disease Investigation Officer	15th July, 1936	Graduate of the Punjab Veterinary College.	Experience in research work on veterinary diseases was necessary and no one with the requisite qualification was available in Bengal.

Extension of service to ministerial officers of the Education Department.

38. Mr. JASIMUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the present time—

(*i*) the names and designation of the ministerial officers of the Education Department (including officers subordinate to the Director of Public Instruction) with their pay, who have been granted extensions of service;

(*ii*) the date on which each of them attained the age of 55 years; and

(*iii*) how many of these are—

(1) Mussalmans, and

(2) Non-Mussalmans?

(*b*) Is the Hon'ble Minister considering the desirability of—

(*i*) taking steps to retire the officers concerned at an early date; and

(*ii*) facilitating promotion and appointment of the educated unemployed youths?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 533, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) and (*ii*) A statement is placed on the table.

(*iii*) (1) Three and (2) Twelve.

(*b*) As the policy of Government is to give extension only in the interest of public service and as every case is considered on its own merits, these questions do not arise. All such cases will be closely scrutinised in future.

Statement referred to in the answer to clause (a), (i) and (ii) of starred question No. 533, showing the names and designation of the ministerial officers of the office of the Director of Public Instruction, Bengal, and of the offices subordinate to him, who have been granted extension of service and the date on which each of them attained the age of 55 years.

	Name and designation.	Scale of pay.	Date on which the age of 55 years attained.
		Rs.	
1.	Rai Sahib Paras Nath Chakravarty, Head Assistant in the office of the Director of Public Instruction, Bengal.	300—10—350	.. 16th January, 1938.
2.	Maulvi Abul Khair, Assistant in the office of the Director of Public Instruction, Bengal.	250—10—300	.. 16th July 1937.

	Name and Designation.	Scale of pay.		Date on which the age of 55 years attained.
		Rs.		
3.	Babu Bholanath Sarkar, Assistant in the office of the Director of Public Instruction, Bengal.	250—10—300	..	16th July, 1937.
4.	Babu Bireswar Gupta, Assistant in in the office of the Director of Public Instruction, Bengal.	Ditto	..	16th February, 1938.
5.	Babu Surendra Nath Ganguly, Head Clerk, Presidency College	150—10—250	..	16th April, 1938.
6.	Babu Hem Chandra Sen, Head Clerk, Bengal Engineering College	Ditto	..	16th December, 1936
7.	Maulvi Abdul Quadeer, Head Clerk, Inspector of Schools, Presidency Division.	125—10—225	..	1st July, 1938
8.	Babu Kalabandhu Chakravarty, Head Clerk, Inspector of Schools, Dacca Division.	Ditto	..	16th July, 1937.
9.	Babu Pran Kumar Nandy, Head Clerk, Ahsanullah School of Engineering, Dacca.	100—5—150	..	16th September, 1935
10.	Maulvi Abdul Latif, Assistant Reader, Bengal Library	60—4—100	..	16th December, 1934.
11.	Babu Bagala Kumar Das, Assistant Clerk, Inspector of Schools, Chittagong Division.	40—40—45—2—65 (efficiency bar)—2—85.		16th October, 1935
12.	Babu Jnanendra Nath Mamumdar, Assistant Clerk, Inspector of Schools, Dacca Division.	Ditto	..	5th June, 1935.
13.	Babu Chinta Haran Chakravarty, Assistant Clerk, Inspector of Schools, Rajshahi Division	Ditto	..	16th December, 1936
14.	Babu Narendra Kishore Chakravarty, Clerk, Faridpur Government High School.	35—35—40—2—60 (efficiency bar)—68—3/2—80.		16th June, 1935.
15.	Babu Rajendra Lal Bose, Clerk, District Inspector of Schools, Pabna.	35—35—40—2/2—50 (efficiency bar)—2/2—60.		16th October, 1937.

Aided high English and middle English schools.

39. Khan Bahadur ABIDUR REZA CHOWDHURY: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the last 5 years—

(*a*) the number of aided—(1) high English and (2) middle English schools in each division;

(*b*) the amount of grant-in-aid allotted to—(1) high English; and (2) middle English schools separately; and

(*c*) the amount of grant-in-aid allotted to each division for high English and middle English schools separately?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 503C, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) and (*c*) Statements (A to G) containing the necessary information are laid on the table of the House.

(*b*) A statement (H) is also laid on the table of the House.

Statements referred to in the answer to starred question No. 503C.

A.—PRESIDENCY DIVISION.

Year.	Number of high schools.	Number of middle schools.	Grants allotted for high schools.	Grants allotted for middle schools.
			Rs.	Rs.
1932-33 ..	113	76	1,98,758	34,036
1933-34 ..	112	78	1,98,288	34,789
1934-35 ..	117	84	1,94,181	38,318
1935-36 ..	113	90	1,94,796	37,703
1936-37 ..	110	88	1,94,439	38,374

B.—BURDWAN DIVISION.

Year.	Number of aided schools.		Amount of grant-in-aid allotted.	
	High English.	Middle English.	High English.	Middle English.
			Rs.	Rs.
1932-33 ..	90	55	1,69,555	32,474
1933-34 ..	91	59	1,68,225	34,025
1934-35 ..	90	58	1,69,011	33,239
1935-36 ..	85	57	1,68,676	33,188
1936-37 ..	92	55	1,68,858	31,834

C.—RAJSHAHI DIVISION.

Year.	Number of high schools.	Number of middle schools.	Amount of grants to high schools.	Amount of grants to middle schools.
			Rs.	Rs.
1932-33 ..	69	43	1,24,824	20,305
1933-34 ..	67	45	1,22,868	22,558
1934-35 ..	66	45	1,23,210	22,143
1935-36 ..	67	44	1,22,180	22,956
1936-37 ..	71	42	1,24,080	21,763

D.—Dacca Division.

Year.	High English schools.		Middle English schools.	
	Number of schools.	Amount of allotment.	Number of schools.	Amount of allotment.
		Rs.		Rs.
1932-33	108	1,67,436	84	42,796
1933-34 ..	107	1,67,700	81	42,268
1934-35 ..	125	1,66,600	82	43,640
1935-36 ..	122	1,69,038	84	44,132
1936-37 ..	116	1,66,132	81	44,060

E.—Chittagong Division.

Year.	Number of aided schools.		Amount of grant sanctioned to—	
	High English schools.	Middle English schools	High English schools.	Middle English schools.
			Rs.	Rs.
1932-33 ..	67	68	1,07,776	35,370
1933-34 ..	69	68	1,05,817	37,153
1934-35 ..	70	67	1,06,926	35,832
1935-36 ..	68	66	1,04,734	37,839
1936-37 ..	70	67	1,04,564	37,480

F.—Presidency and Burdwan Divisions.

Year.	Aided high schools for English girls.		Aided middle English schools for girls.	
	Number of schools.	Amount of allotment distributed.	Number of schools.	Amount of allotment distributed.
		Rs.		Rs.
1932-33 ..	15	1,06,085	32	58,703
1933-34 ..	16	1,10,212	29	56,181
1934-35 ..	20	1,14,914	26	50,920
1935-36 ..	21	1,12,559	27	52,387-6
1936-37 ..	22	1,02,168	25	49,116

G.—DACCÁ CIRCLE.

(Which includes Dacca, Chittagong, and Rajshahi Divisions.)

Year.	Aided high English schools for girls.		Aided middle schools for girls.	
	Number of schools.	Amount of allotment distributed.	Number of schools.	Amount of allotment distributed.
		Rs.		Rs.
1932-33	9 (voted) .. 2 (non-voted)	34,380 10,200	20 (voted) .. 2 (non-voted)	27,887 3,190
1933-34	9 (voted) .. 2 (non-voted)	34,383 10,572	20 (voted) .. 2 (non-voted)	28,248 3,295
1934-35	9 (voted) .. 2 (non-voted)	34,383 10,572	20 (voted) .. 2 (non-voted)	30,528 3,295
1935-36	10 (voted) .. 2 (non-voted)	34,842 10,200	21 (voted) .. 2 (non-voted)	32,328 3,180
1936-37	9 (voted) .. 2 (non-voted)	34,380 10,200	21 (voted) .. 2 (non-voted)	32,328 3,180

H.

STATEMENT SHOWING THE AMOUNT OF GRANT-IN-AID ALLOTTED IN LAST FIVE YEARS FOR HIGH ENGLISH AND MIDDLE ENGLISH SCHOOLS SEPARATELY.

	High English schools.	Middle English schools.
	Rs.	Rs.
1932-33	9,19,014	2,54,751
1933-34	9,18,065	2,58,487
1934-35	9,19,797	2,57,915
1935-36	9,17,025	2,64,713
1936-37	9,04,821	2,58,137

Damodar Canal.

40. Miss MIRA DUTTA GUPTA: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether the attention of Government has been drawn to an article written by Professor Meghnad Saha, F.R.S., on the Damodar Canal?

(*b*) (*i*) What has been the cost of the dredgers "Ronaldshay" and "Burdwan"?

(*ii*) What has been the cost of their maintenance so far?

(*iii*) What economic use they have been put to so far?

(*iv*) What is proposed to be done with regard to them in future?

(*c*) Whether any survey, contour or hydrographic, was made before the Anderson Canal and Bejoy Cut Schemes were taken in hand?

(*d*) (*i*) If so, by whom?

(*ii*) Are the Government considering the desirability of placing a copy of the report on the table?

(*e*) Do the Government intend establishing an Irrigation Research Institute? If so, when?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: With reference to starred question No. 503B, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) No.

		Rs.
(*b*) (*i*) "Ronaldshay"	... ...	53,20,667
"Burdwan"	... ...	13,11,824
(*ii*) "Ronaldshay"	... ...	3,97,225
"Burdwan"	...	1,36,961

(*iii*) "*Ronaldshay*".—(*a*) Opening a new cut joining the channel creek with Geaputy Khal from 1st January to 31st March, 1923—3 months.

(*b*) Dredging shoal in the Lower Kumar river from 31st May to 26th June, 1923—27 days.

(*c*) Dredging for Andamans reclamation work from 6th December, 1929, to 31st January, 1932, including the period of voyage—2 years 1 month and 26 days.

(*d*) Excavating the Kulti storm water outfall channel for the Corporation of Calcutta, estimated period 19 months from 25th August, 1937. This work is now in progress.

"*Burdwan*".—(*a*) Dredging the Maniktala dock from 21st March to 23rd April, 1923—1 month and 3 days.

(*b*) Dredging the Bidyadhari river from 23rd June to 11th October, 1923—3 months and 19 days.

(*c*) Dredging the Bhangore Khal from 13th February to 21st September, 1926—7 months and 9 days.

(*d*) Clearing silt of the Kulti lock basin from 7th October to 25th October, 1926—19 days.

(*iv*) "Ronaldshay" will replace "Foyers" which has already been condemned. Attempts will be made to dispose of the "Burdwan" if it is neither purchased by the Calcutta Corporation nor transferred to the proposed Bengal Waterways Board.

(*c*) and (*d*) (*i*) Yes. A survey was made in connection with the Bejoy Cut Scheme by the Irrigation Department. Work in connection with the Anderson Canal was not undertaken by this department.

(*ii*) A copy of the report on the Bejoy Cut Scheme is placed on the table.

(*e*) No formal proposal has been made, but when made it will receive due consideration.

Report on the Bejoy Cut Scheme.

No. 1242/C.I., dated Calcutta, the 12th April, 1933.

From—W. Roche, Esq., C.I.E., Chief Engineer to the Government of Bengal,

To—The Secretary to the Government of Bengal, Irrigation Department.

I have the honour to submit herewith plans and estimate amounting to Rs. 9,410 for a cut from the river Mathabhanga to the Bhairab (lower down called the Kabadak) with the object of flushing the river Bhairab with silt laden water from the Mathabhanga during the rains.

2. The Superintending Engineer, South-Western Circle, submitted a project in January last. The delay in submitting the project which is regretted, is due to the correspondence with the Chief Engineer, Eastern Bengal Railway, regarding approval to the cut passing under the railway bridge No. 147 at mile 72/20 of the Main Line.

3. The project has been estimated at the rates at which the District Board of Jessore are likely to be able to carry it out and no departmental charges are included. The estimated cost is Rs. 9,410 including a bridge which I consider necessary.

4. Copies of the correspondence with the Chief Engineer, Eastern Bengal Railway, are enclosed herewith from which it will be noticed that the Eastern Bengal Railway Administration have finally agreed to the cut passing under their bridge on the following conditions:—

(1) That the cut be designed to carry 770 cusecs at ordinary H. F. L., i.e., reduced level 33·0 and that if the discharge exceed 1,200 cusecs, the Bengal Government undertake to control the supply at the head or close the cut.

(2) That the depth of excavation at the bridge is not more than 2·02 feet.

5. As regards (1) the cut, as designed, is calculated to discharge a maximum of 770 cusecs. As a precaution against the cut opening out too much a pitched profile of enlarged section has been provided. The theoretical discharge, if the cut scoured out to the pitched section is 1,200 cusecs.

6. The question of closing or controlling the channel is not therefore likely to arise until the pitched profile gets washed away. As a safeguard, however, Government should ask the District Board or whoever carries out the work to undertake to indemnify Government against the cost of closing the cut up to a maximum of Rs. 2,500 which should be ample to close the cut should the necessity arise.

7. As regards (2) the digging specified is the amount of digging proposed at the railway bridge in the scheme as prepared. If the work is executed according to plan this condition will automatically be complied with.

8. With a cut uncontrolled at the head there must always be a certain amount of danger of the cut silting up or scouring out to excess. Whether silting or scouring takes place, depends on the nature of the flood in the Mathabhanga river, I am of opinion that there is more danger of the cut silting up than of its scouring unduly. On the whole I consider the prospects of the cut sufficiently promising to warrant its being carried out by the District Board and I recommend that permission be accorded by Government.

No. 349/C.I., dated Calcutta, the 26th January, 1933.

From—The Chief Engineer, Irrigation Department, Bengal,

To—The Chief Engineer, Eastern Bengal Railway.

I have the honour to say that the District Board of Nadia are very anxious to proceed with a small scheme outlined below as a very important anti-malaria measure and the Government wishes to approve of the same.

2. A certain amount of spill from the Mathabhanga used to pass into the Bhairab (lower down called Kobadak) even after the Railway Main Line had been constructed as is evidenced by the fact that a bridge (No. 147) of 3 spans of 27 feet 4 inches was provided in it to enable this spill to go through. On account of various reasons, this spill does not pass into the Bhairab with the result that the condition of this river has deteriorated very much leading to prevalence of malaria and other diseases in the villages along its banks. In order, therefore to relieve the situation, it is proposed to make a cut with a bed width of 25 feet and a bed slope of ·4 feet per thousand, from the Mathabhanga to the Bhairab as shown in the index map enclosed herewith.

3. It is calculated that the maximum discharge the cut is likely t take under normal flood conditions is 770 cusecs but in case the cu tends to open out, a pitched profile (as per section enclosed herewith has been provided at a point 200 feet from the beginning of the cu to prevent the channel opening out further. This pitched profile i expected not to allow the discharge to exceed 1,200 cusecs even unde such abnormal flood conditions as occurred in 1931.

4. The railway bridge through which the proposed cut is to pas has 3 spans of 27 feet 4 inches or 82 linear feet of waterway. With feet depth of water, the waterway comes to 574 square feet. The maxi mum proposed discharge, viz., 770 cusecs under ordinary flood con ditions, would be taken with a velocity of 1·3 feet per second. Or i the channel opened out to the pitched profile mentioned above, with discharge of 1,200 cusecs passing, the velocity will not exceed 2·1 fee per second allowing even for a 50 per cent. increase over this amoun or 1,800 cusecs, the discharge could be taken with a velocity of 3·1 fee per second. None of these velocities are likely to endanger the railwa bridge in any way.

5. I have therefore to request you to accord approval to the dis charge being passed through the railway bridge No. 147 as propose above.

6. As the Government are anxious for an immediate decision o the case and to avoid delay, I shall feel much obliged if you woul kindly ring me up and arrange for a discussion (if necessary) as soo as you had an opportunity of studying the case.

No. 46W/3/3—W (ii), dated Calcutta, the 1st March, 1933.

From—The Chief Engineer, Eastern Bengal Railway,

To—The Chief Engineer, Irrigation Department, Bengal.

Improvement of the river Bhairab by a cut from the Mathabhang passing through Eastern Bengal Railway bridge No. 147 at mil 72/20.

With reference to your letter No. 349/C.I., dated the 26th January 1933, I agree to the opening of the cut from the Mathabhanga throug Eastern Bengal Railway bridge No. 147 to the Bhairab on the condition laid down, viz.,

(1) that the cut be designed to carry 770 cusecs; that if th discharge exceeds 1,200 cusecs the Bengal Governmen undertake to control the supply at the head or close the cut

(2) that the depth of excavation at the bridge is not more tha 2·02 feet;

(3) that the full supply level is never higher than 18 inches below bottom of railway girders; and

(4) that the maximum velocity through the bridge is not more than 2 feet per second.

No. 942/C.I., dated Calcutta, the 14th March, 1933.

From—The Chief Engineer, Irrigation Department, Bengal,

To—The Chief Engineer, Eastern Bengal Railway.

With reference to your letter No. 46W/3/3—W(ii), dated the 1st March, 1933, and our discussion on 13th March, 1933, I have the honour to state that it would be difficult for Government to give a guarantee regarding conditions Nos. (3) and (4) of your letter as they are technical points.

As regards (3) at our discussion we agreed that with an average high flood level of 32·0 in the Mathabhanga river water level at the bridge would be 31·29 or 2 feet below the bottom of the girders. As however a flood level as high as 33·76 was recorded in 1931 (the maximum recorded) a clearance of 18 inches could not be guaranteed in abnormal floods.

As regards condition (4) a maximum velocity through the bridge is I understand referred to. We agreed that as explained in paragraph 4 of my letter No. 349/C.I., dated the 26th January, 1933, with a maximum dicharge of 1,200 cusecs the velocity through the bridge would be 2·1 feet per second. Condition (4) therefore appears already covered by condition (1). In the circumstances I have the honour to request that you may kindly waive conditions Nos. (3) and (4).

No. 46W/3/3—W (ii), dated Calcutta, the 29th March, 1933.

From—The Chief Engineer, Eastern Bengal Railway,

To—The Chief Engineer, Irrigation Department, Bengal.

Improvement of the river Bhairab by a cut from the Mathabhanga passing through the Eastern Bengal Railway bridge No. 147 at mile 72/20.

With reference to your letter No. 942/C.I., dated the 14th March, 1933, and in the circumstances stated therein, I agree to waive the conditions No. (3) and (4) of my letter No. 46W/3/3—W (ii), dated the 1st March, 1933.

Percentage system in the matter of employment in the different District Boards.

41. Khan Bahadur Maulana AHMED ALI ENAYETPURI: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the percentage system in the matter of employment as is followed in the Government offices are followed in the self-governing institutions of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Government state what are the different District Boards which follow the system?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state what basis do the self-governing institutions follow in the matter of appointment?

(*d*) If no uniform basis is followed, will the Hon'ble Minister be pleased to take steps to fix such a uniform basis on the percentage system similar to that followed in Government offices?

The Hon'ble Mr. H. S. SUHRAWARDY. With reference to starred question No. 371, dated the 7th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) and (*b*) No, except in the case of the District Boards of Khulna, Jessore, and Dinajpur and the municipalities of Chakda, Meherpur, Kushtia, Chittagong and Netrakona.

(*c*) A statement is laid on the table.

(*d*) I regret I cannot take any such steps as proposed, as the matter appertains to the purely internal affairs of local self-governing institutions.

Statement referred to in answer to clause (*c*) *of starred question No. 371.*

(1) THE NAMES OF LOCAL BODIES WHERE NO BASIS IS FOLLOWED IN THE MATTER OF APPOINTMENT.

1. Birbhum District Board.
2. Midnapore District Board.
3. Faridpur District Board.
4. Bakarganj District Board.
5. Chittagong District Board.*
6. Noakhali District Board.

*This District Board endeavours to work to 75 per cent. of Muhammadan employment.

7. Bogra District Board†.
8. Darjeeling District Board.
9. Suri Municipality.
10. Vishnupur Municipality.
11. Tamluk Municipality.
12. Ghatal Municipality.
13. Chandrakona Municipality.
14. Ramjibanpur Municipality.
15. Khirpai Municipality.
16. Kharar Municipality.
17. Bhadreswar Municipality.
18. Arambagh Municipality.
19. Naihati Municipality.
20. North Barrackpur Municipality.
21. North Dum-Dum Municipality.
22. Rajpur Municipality.
23. Jainagar-Mazilpur Municipality.
24. Garden Reach Municipality.
25. Baraset Municipality.
26. Gobardanga Municipality.
27. Basirhat Municipality.
28. Dhulian Municipality.
29. Debhatta Municipality.
30. Dacca Municipality.
31. Mymensingh Municipality.
32. Muktagacha Municipality.
33. Gouripur Municipality.
34. Jamalpur Municipality.
35. Sherpur Municipality.
36. Kishoreganj Municipality.
37. Bajitpur Municipality.
38. Tangail Municipality.
39. Madaripur Municipality.
40. Rajbari Municipality.
41. Barisal Municipality.
42. Nalchiti Municipality.

†Percentage of Muhammadans is much greater than the prescribed minimum of 33 per cent.

43. Jhalokati Municipality.
44. Perojpur Municipality.
45. Patuakhali Municipality.
46. Bhola Municipality.
47. Comilla Municipality.
48. Noakhali Municipality.
49. Bogra Municipality.
50. Sherpur Municipality.
51. Kurseong Municipality*.

(2) THE NAMES OF LOCAL BODIES WHERE APPOINTMENT IS MADE ON THE BASIS OF QUALIFICATIONS, MERIT AND EFFICIENCY

1. Burdwan District Board.
2. Bankura District Board.
3. Hooghly District Board.
4. Howrah District Board.
5. Nadia District Board.
6. Tippera District Board.
7. Pabna District Board.
8. Malda District Board.
9. Burdwan Municipality.
10. Kalna Municipality.
11. Katwa Municipality.
12. Dainhat Municipality.
13. Raniganj Municipality.
14. Asansol Municipality.
15. Bankura Municipality.
16. Sonamukhi Municipality.
17. Midnapore Municipality.
18. Hooghly-Chinsura Municipality.
19. Bansberia Municipality.†
20. Serampur Municipality.
21. Baidyabati Municipality.
22. Rishra-Konnagore Municipality.
23. Champdany Municipality.

*Preference is given to Hillmen.

†Preference is given to local men.

24. Kotrung Municipality.
25. Uttarpara Municipality.
26. Howrah Municipality.
27. Bally Municipality.
28. Kanchrapara Municipality.
29. Halisahar Municipality*.
30. Bhatpara Municipality.
31. Garulia Municipality.
32. Barrackpore Municipality.
33. Titagarh Municipality.
34. Khardah Municipality.
35. Panihati Municipality.
36. Kamarhati Municipality.
37. Baranagar Municipality.
38. South Dum-Dum Municipality.
39. Dum-Dum Municipality.
40. Tollygunge Municipality.†
41. Budge Budge Municipality.
42. Baruipur Municipality.
43. Baduria Municipality.
44. Taki Municipality.
45. Nabadwip Municipality.
46. Santipur Municipality.
47. Ranaghat Municipality.
48. Birnagar Municipality.
49. Kumarkhali Municipality.
50. Berhampore Municipality.
51. Jiaganj-Azimganj Municipality.
52. Jangipur Municipality.
53. Jessore Municipality.
54. Kotichandpur Municipality.
55. Moheshpur Municipality.
56. Satkhira Municipality.
57. Faridpur Municipality.

*Preference is given to local men.

†Due consideration is made in employing Muhammadans.

58. Chandpur Municipality.
59. Brahmanbaria Municipality.‡
60. Dinajpur Municipality.*
61. Pabna Municipality.
62. Serajganj Municipality.
63. English Bazar Municipality.
64. Old Malda Municipality.
65. Nawabganj Municipality.
66. Darjeeling Municipality.*

(3) THE NAMES OF LOCAL BODIES WHERE APPOINTMENT IS MADE ON THE BASIS OF QUALIFICATIONS AND REPRESENTATION OF DIFFERENT COMMUNITIES.

1. 24-Parganas District Board.
2. Dacca District Board.
3. Mymensingh District Board.
4. Rajshahi District Board.
5. Jalpaiguri District Board.
6. Krishnagar Municipality.
7. Murshidabad Municipality.
8. Khulna Municipality.
9. Narayanganj Municipality.
10. Rajshahi Municipality.
11. Nator Municipality.
12. Rangpur Municipality.
13. Jalpaiguri Municipality.

(4) MISCELLANEOUS.

(1) In Murshidabad District Board nearly 33 per cent. of vacancies are given to the Muhammadans but in certain cases technical knowledge is taken into consideration.

(2) In Rangpur District Board the following percentage is followed in the matter of appointment—

Muhammadans—60 per cent.
Scheduled Castes—25 per cent.
Caste Hindus—15 per cent.

‡Preference is given to suitable Muhammadan candidates.
*Preference is given to Hillmen.

(3) In South Suburban Municipality appointments are generally made according to income from the respective communities.

(4) In Cox's Bazar Municipality the practice is to replace an existing employee by another of the same community.

(5) In Kandi and Gaibandha Municipalities no appointments were made during the last few years.

Released [illegible] Sreejut Makhan Lal Dey.

42. **Mr. NARENDRA NATH DAS GUPTA:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware—

(*i*) that Sreejut Makhan Lal Dey, son of the late Kedarnath Dey, village Dhamrai, district Dacca, on his release from the Dacca Jail in July, 1937, was intimated by the officer-in-charge of the police-station that he should have to report himself to the thana officer on his leaving or entering his village.

(*ii*) that he sells vegetables at his shop in the village and markets in the different adjoining villages;

(*iii*) that he is detained at the thana when he goes there to report himself at the time when he starts for a market in another village and when he comes back; and

(*iv*) that for this detention he has been unable to push on his sale?

(*b*) Is the Hon'ble Minister also aware—

(*i*) that he has been suffering from malaria and dyspepsia;

(*ii*) that he is roused from sleep twice and thrice by the police; and

(*iii*) that he has been suffering also from insomnia?

(*c*) Is the Hon'ble Minister aware that he petitioned to the Hon'ble Prime Minister and the Superintendent of Police detailing his grievances but without any effect?

(*d*) Is the Hon'ble Minister considering the desirability of taking steps for the removal of the restrictions placed on him?

The Hon'ble Khwaja Sir NAZIMUDDIN: With reference to unstarred question No. 149 of the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) and (*ii*) Yes

(*iii*) and (*iv*) No.

(*b*) (*i*) I have no information.

(*ii*) No. He is occasionally visited once by night by round parties.

(*iii*) I have no information.

(*c*) and (*d*) A petition was sent to the Superintendent of Police. I am having the matter investigated.

Senior and junior madrasahs in Tippera.

43. Maulvi MD. HASANUZZAMAN: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) how many new scheme senior and junior madrasahs are there in the district of Tippera at present;

(*b*) how many of them are recognised and unrecognised;

(*c*) how many of them are aided;

(*d*) the amount of monthly grant-in-aid to each of them;

(*e*) the names of the District Board aided junior madrasahs and amount of monthly aid; and

(*f*) the names of the unrecognised senior madrasahs?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to unstarred question No. 157, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) High madrasahs 8 and junior madrasahs 66.

	Recognised.	Unrecognised.
(*b*) High madrasahs	7	1
Junior madrasahs	60	6
(*c*) High madrasahs	...	7
Junior madrasahs	...	55

(*d*), (*e*) and (*f*) **Statements giving the information are laid on the table of the House.**

Statements referred to in the answer to clauses (d) to (f) of unstarred question No. 157.

STATEMENT I.

RATE OF MONTHLY GRANT-IN-AID TO THE NEW SCHEME HIGH AND JUNIOR MADRASAHS.

High madrasahs.

		Rs.
1.	Hussamiah ...	200
2.	Naria ...	200
3.	Shah Rasti ...	125
4.	Shafarmali ...	70
5.	Elliotganj ...	70
6.	Ghorasal ...	60
7.	Paschimgaon ...	60

Junior madrasahs.

1.	Bagmara ...	40
2.	Burichang ...	45
3.	Chasai ...	45
4.	Dashpara ...	45
5.	Fatehabad ...	40
6.	Gopalnagar ...	45
7.	Gouripur ...	45
8.	Gunabati ...	40
9.	Haripur ...	45
10.	Hogfakandi ...	45
11.	Joypur Osmania ...	45
12.	Kaziatal ...	40
13.	Khosbash ...	40
14.	Mainamati ...	60
15.	Muhammadpur ...	45
16.	Narandia ...	45
17.	Nimsar ...	45
18.	Rosulpur ...	45
19.	Saktali ...	40
20.	Sidlai ...	50

		Rs.
21.	Uttarda	... 30
22.	Bangoori	... 30
23.	Singadda	... 30
24.	Mahichail	... 40
25.	Majidpur	... 40
26.	Maligaon	... 40
27.	Duaria	... 40
28.	Hingula	... 20
29.	Ashrafpur	... 65
30.	Aswinpur	... 45
31.	Bahari	... 45
32.	Hajiganj	... 45
33.	Kahalthuri	... 45
34.	Kalirbazar	... 45
35.	Ludhua	... 45
36.	Mahamaya	... 40
37.	Naobhanga Joypur	... 40
38.	Nasirpur	... 45
39.	Palisara	... 45
40.	Rogdail	... 45
41.	Sholla	... 45
42.	Warook	... 55
43.	Unkilla	... 40
44.	Cheriara	... 35
45.	Ekhlaspur	... 40
46.	Naori	... 40
47.	Hajiganj Girls	... 30
48.	Baddabazar	... 60
49.	Araishida	... 20
50.	Barail	... 50
51.	Jamsherpur	... 65
52.	Khalla	... 45
53.	Kharera	... 40
54.	Tezkhali	... 40
55.	Rampurbazar	... 40

STATEMENT II.

RATE OF MONTHLY GRADE TO THE JUNIOR MADRASAHS DURING 1937-38 FROM THE DISTRICT BOARD OF TIPPERA.

New scheme.

		Rs.
1.	Banguri	... 12
2.	Neura	... 8
3.	Shahpur	... 5
4.	Dulkhar	... 12
5.	Hingula	... 12
6.	Lakhmi-padua	... 6
7.	Singadda	... 10
8.	Araishida	... 12

Old scheme.

1.	Ratanpur	... 4
2.	Dhalua	... 10
3.	Duttasar	... 4
4.	Mirshikari	... 5
5.	Alaitala	... 12
6.	Payalgachha	... 8
7.	Companyganj	... 8
8.	Aushpara	... 5
9.	Juktikhola	... 6
10.	Ghazipur	... 3
11.	Rupsha	... 12
12.	Sadra Ramchandrapur	... 6
13.	Hajiganj	... 6
14.	Rajargaon	... 5
15.	Belchu	... 4
16.	Nowhata	... 4
17.	Kadla	... 7
18.	Mohamaya	... 8
19.	Alunia	... 3
20.	Chandra Samadia	... 8
21.	Jahirabad	... 3

		Rs.
22.	Chartalabazar ...	5
23.	Begumganj ...	5
24.	Bishnudi ...	5
25.	Natunbazar Ahmadia ...	10
26.	Khajuria ...	5
27.	Durgadi ...	5

STATEMENT III.

THE NAMES OF UNRECOGNISED SENIOR MADRASAHS.

1. Comilla Chowk Bazar Nazeria.
2. Companyganj.
3. Jam-i-Mullia.
4. Kamranga.
5. Sadra Ramchandrapur.
6. Nawhata.
7. Faridganj.
8. Shahatali Islamia.
9. Ujani.
10. Rajargaon.
11. Brahmanbaria Islamia.

Registered workshops and factories in Calcutta and Howrah.

44. Mr. SIBNATH BANERJEE: (*a*) Is the Hon'ble Minister in charge of the Commerce and Labour Department aware—

(*i*) that there are about a hundred small registered workshops and factories in different places of Howrah and Calcutta employing less than 200 persons in iron and other metal industry;

(*ii*) that the authorities of these workshops pay a nominal wage to the workers varying from annas two to eight only;

(*iii*) that the authorities of these workshops often lock up their works without giving due notice to the workers; and

(*iv*) that no compensation is paid when the workshops are closed?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government propose instituting an enquiry into the condition of this class of workers with a view to remedying their grievance?

The Hon'ble Mr. H. S. SUHRAWARDY: With reference to unstarred question No. 146, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) As far as I am informed the number of registered metal factories in Calcutta and Howrah employing less than 200 persons is 132.

(*ii*) The approximate average wages per month in these factories are—

(1) Skilled workers—Rs. 8 to Rs. 45.

(2) Unskilled workers—Rs. 12 to Rs. 15.

(3) Learners—Rs. 4 to Rs. 7.

(*iii*) and (*iv*) I have no definite knowledge.

(*b*) No complaints have yet been received by the department, but an officer when available will be deputed to make an enquiry.

Rajapur Canal, Howrah.

45. Mr. SIBNATH BANERJEE: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(*i*) the cost of the excavation of the Rajapur canal in Howrah;

(*ii*) how much was paid by the public and the landowners to be benefitted by the canal;

(*iii*) whether this canal is leased to fishermen; and

(*iv*) if so, what is the amount received annually on that account?

(*b*) Is the Hon'ble Minister aware—

(*i*) that the impediments caused by the apparatus of fishermen cause obstruction to the free flow of the water; and

(*ii*) that the charges levied on the boatmen plying in the canal are rather high?

(*c*) If the answer to (*b*) is in the affirmative, what steps do the Government propose towards remedying the grievances of the peasants?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: With reference to unstarred question No. 161, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) (*i*) The cost of the scheme amounted to Rs. 14,57,295.

(*ii*) No definite record is available on this point, but it is presumed that the entire cost was paid by the people benefited.

(*iii*) Yes.

(*iv*) The average income of last 3 years was Rs. 1,033.

(*b*) (*i*) Only nets are allowed which cause no obstruction to the free flow of water.

(*ii*) No.

(*c*) Does not arise.

Floods in Union No. 13 in the Pashkura thana, Midnapore.

46. Mr. SIBNATH BANERJEE: Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(*a*) whether the inhabitants of Union No. 13 in the Pashkura thana of Midnapore living between the rivers of Kshirai and Kangsha suffer from floods every year;

(*b*) if so, what steps do the Government propose taking in the matter;

(*c*) whether Government contemplate dredging the two rivers specially at their junction; and

(*d*) whether the Government propose compensating the peasants for the loss of crops, etc., by floods?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: With reference to unstarred question No. 162, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) Yes.

(*b*) The trouble is due to indiscriminate interference with the Pinajkhali *khal* by the interests concerned leading to its practical disappearance as a drainage channel. The obvious remedy of course is the restoration of the function of the *khal* as a drainage channel by silt-clearance and re-excavation which may advantageously be taken up under the Bengal Agricultural and Sanitary Improvements Act, VI of 1920.

(*c*) The idea of dredging the two rivers at their junction is impracticable.

(*d*) It is not a practical proposition for Government to compensate the peasants for the loss of crops, etc., by floods.

Contribution to Assam Bengal Railway Company, Limited, for the reconstruction of a bridge over the Anderson Khal, Tippera.

47. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the Government contributed any amount to the Assam Bengal Railway Company, Limited, for the reconstruction of a bridge over the Kurulia *Khal*, now known as Anderson *Khal*, in the subdivision of Brahmanbaria in the district of Tippera?

(*b*) If the answer to clause (*a*) is in the affirmative, is the Hon'ble Minister aware—

(*i*) that the new bridge of the said Assam Bengal Railway Company, Limited, over the Kurulia *Khal* will not be higher than the one that is being replaced; and

(*ii*) that the country boats with cargo will not be able to pass under the bridge?

(*c*) Were any plan and estimate sent to the Bengal Government by the Assam Bengal Railway Company, Limited?

(*d*) If the answer to clause (*c*) is in the affirmative, will the Government be pleased to state whether before accepting the proposal, Bengal Government pressed for increasing the height of the bridge?

(*e*) If not, what were the reasons therefor?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar: With reference to unstarred question No. 143*A*, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

(*a*) Government contributed Rs. 32,000 to the District Board of Tippera towards the cost of the resuscitation of the Kurulia *Khal* which included the remodelling of the Assam Bengal Railway bridge. Nothing was paid direct to the Railway authorities.

(*b*) (*i*) Yes.

(*ii*) Country boats may not be able to pass under the bridge at only very high flood level.

(*c*) No. Plans and estimates of cost in respect of the remodelling of the railway bridge over Kurulia *Khal* were approved by the District Board. The work of remodelling the bridge was to be done under the supervision of the Railway authorities and the District Board of Tippera.

(*d*) and (*e*) Do not arise.

Stipends to Sanskrit Tols and Pandits.

48. Maulvi AMINULLAH: Will the Hon'ble Minister in charge of the Education Department be pleased to lay a statement on the table showing for the last five years 1933—37—

(*a*) the total grants made to the old scheme madrasahs and tols;

(*b*) the total amount of personal stipends paid to the Sanskrit schools;

(*c*) the total amount of stipends paid to Pandits of tols;

(*d*) the total amount of stipends paid to pupils reading in tols; and

(*e*) the total amount of grants made to tols?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to unstarred question No. 158, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table.

Grants to old scheme madrasahs and tols are sanctioned by the Divisional Inspectors of Schools, whereas stipends to Pandits and pupils of tols are awarded by the Bengal Sanskrit Association on the results of its examinations. Five statements (A to E), forwarded by the Inspectors of Schools, giving the information required are laid on the table of the House.

In addition, there are certain stipends sanctioned by Government for Pandits and pupils of the Government tols at Navadwip. Statement (F) giving details of these, is also laid on the table of the House.

Statements referred to in the answer to clauses (a) to (e) of unstarred question No. 158.

A.—BURDWAN DIVISION.

Year.	Grants for old scheme madrasahs.	Grants for tols.	Amount of personal stipends paid to Sanskrit tols.	Amount of stipends paid to pandits of tols.	Amount of stipends paid to pupils reading in tols.	Total amount of grants made to tols.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
1933-34 ..	2,400	1,584	2,040	1,182	1,398	Same as in column 3.
1934-35 ..	2,400	1,584	2,136	1,090	1,432	
1935-36 ..	2,400	1,584	2,136	808	1,435	
1936-37 ..	2,400	1,584	2,136	1,187	1,448	

B.—Dacca Division.

Year.	Grants for old scheme madrasahs.	Grants for tols.	Amount of personal stipends paid to Sanskrit tols.	Amount of stipends paid to Pandits of tols.	Amount of stipends paid to pupils reading in tols.	Total amount of grants made to tols.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
1932-33 ..	Nil	5,136	1,536	864	711	Same as in column 3.
1933-34 ..	Nil	5,136	1,728	1,024	654	
1934-35 ..	Nil	5,136	1,776	1,448	746	
1935-36 ..	Nil	5,136	1,776	1,152	738	
1936-37 ..	Nil	5,136	1,776	972	825	

C.—Presidency Division.

Year.	Grants for old scheme madrasahs.	Grants for tols.	Amount of personal stipends paid to Sanskrit tols.	Amount of stipends paid to Pandits of tols.	Amount of stipends paid to pupils reading in tols.	Total amount of grants made to tols.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
1933-34 ..	Nil	5,444	4,056	3,312	1,392	Same as in column 3.
1934-35 ..	Nil	5,444	4,056	3,576	1,488	
1935-36 ..	Nil	5,444	4,056	4,200	1,154	
1936-37 ..	Nil	5,444	4,056	4,176	1,788	

D.—Chittagong Division.

Year.	Grants for old scheme madrasahs.	Grants for tols.	Amount of personal stipends paid to Sanskrit tols.	Amount of stipends paid to Pandits of tols.	Amount of stipends paid to pupils reading in tols.	Total amount of grants made to tols.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
1933-34 ..	Nil	4,636	1,308	565	441	Same as in column 3.
1934-35 ..	Nil	4,636	1,302	712	402	
1935-36 ..	Nil	4,636	1,360	676	358	
1936-37 ..	Nil	4,636	1,386	606	383	

E.—RAJSHAHI DIVISION.

Year.	Grants for old scheme madrasahs.	Grants for tols.	Amount of personal stipends paid to Sanskrit tols.	Amount of stipends paid to Pandits of tols.	Amount of stipends paid to pupils reading in tols.	Total amount of grants made to tols.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
1933-34 ..	2,400	288	288	284	..	Same as in column 3.
1934-35 ..	2,400	288	264	383-8	..	
1935-36 ..	2,400	288	252	214	..	
1936-37 ..	2,400	288	72	105-8	..	

F.—A STATEMENT SHOWING THE DETAILS OF GRANTS AND STIPENDS AWARDED TO THE TEACHERS AND PUPILS OF DIFFERENT TOLS IN BENGAL.

A sum of Rs. 6,000 is awarded per year by Government as stipendiary allowance to pupils reading at the Navadwip Government tols and the total amount for five years is Rs. 30,000.

The three Pandits of the three Government tols at Navadwip draw monthly stipends of Rs. 150, Rs. 90 and Rs. 75, respectively, and thus Government makes an award of Rs. 3,780 per year for the Navadwip tol Pandits and the total amount for five years is Rs. 18,900.

Descendants of Nawab Serajud-daulah.

49. Maulvi ABDUL WAHED: Will the Hon'ble Minister in charge of the Home (Political) Department be pleased to state:—

(*a*) Whether His late Majesty Nawab Serajud-daulah left any daughter after his demise and whether any descendants of the said daughter are still alive?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Government be pleased to state the names and number of such descendants and whether Government have granted any annual state pension to them?

(*c*) If the answer to clause (*b*) is in the negative, what is the reason for it?

MINISTER in charge of HOME (POLITICAL) DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): The subject matter of this question is not within the scope of my jurisdiction of responsibilities. I am, therefore, not in a position to provide an answer.

Funds of the Calcutta Co-operative Milk Societies Union.

*50. **Mr. RAMIZUDDIN AHMED:** Will the Hon'ble Minister in charge of the Department of Co-operative Credit and Rural Indebtedness be pelased to state:—

(*a*) (*i*) whether the services of any officer or officers of Government have been lent to the Calcutta Co-operative Milk Societies Union, Ltd., for its supervision, control and management;

(*ii*) if so, who are they;

(*iii*) whether there is such an officer as the Secretary of the Union; and

(*iv*) if so, how long has he been acting as such?

(*b*) (*i*) whether the Funds of the Union are spent among others in certain expenditure shown as special contingencies;

(*ii*) if so, what are the nature of, and occasion for the purposes for which they are spent; and

(*iii*) what was the amount spent on this head during the financial years 1934-35, 1935-36, 1936-37, 1937-38?

(*c*) (*i*) is any special register of accounts maintained for payment of special contingencies; and

(*ii*) are there names of any of the employees of the Calcutta Medical College Hospital and Campbell Medical School through whom or to whom payment of such special contingencies was made from 1st April, 1935, to 28th February, 1938?

(*d*) (*i*) is there any head of account shown as suspense; and

(*ii*) if so, what is the total sum shown in suspense account from October, 1936, to February, 1938, not adjusted by proper appropriation within a fortnight?

(*e*) whether there is any suspense shown against any employee of the Union from December, 1936, till February, 1937, and later appropriated as special contingency payment to the Calcutta Medical College Hospital?

(*f*) who actually makes the payments of money shown as special contingencies?

(*g*) (*i*) whether a sum of Rs. 2,000 of the Union Fund was invested in April, 1937, and Rs. 8,000 on 11th June, 1937, in fixed deposit in the Central Calcutta Bank, Ltd., which is not a Co-operative Fund;

(*ii*) if so, was the money deposited with the sanction of the Registrar; and

(*iii*) if with the Registrar's sanction, when was the sanction given?

(*h*) (*i*) whether the Secretary of the Union has any personal account with the Bank; and

(*ii*) if so, did he overdraw on his account or take loan from the Bank?

(*i*) (*i*) Has the fixed deposit since been recalled;

(*ii*) if so, whether it was done after repeated complaints had been made to Government; and

(*iii*) whether there has been any consequent loss to the Union?

(*j*) (*i*) is it a fact that during the period from October, 1936, to March, 1937, cash balances used to be kept in the till of the Union, sometimes exceeding Rs. 10,000 or above; and

(*ii*) if so, what was the maximum cash balance kept of the above money during the period?

(*k*) whether this above cash from the Union's till—

(*i*) used to be utilised during the same period by several officers of the Co-operative Department including the Secretary of the Union; and

(*ii*) issued on requisitions by signed slips as temporary advances?

(*l*) (*i*) was the Registrar of Co-operative Societies personally cognisant of this;

(*ii*) what was the total amount taken as such in the said period; and

(*iii*) by which officers were they taken and for what amount?

(*m*) Is it a fact that towards the end of March, 1937, these temporary advances were adjusted by cash payments as soon as shortage was detected by the Deputy Registrar of the Co-operative Societies who was the Deputy Chairman of the Union?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*)—Yes.

(*ii*) Maulvi Golam Mustapha, Veterinary Assistant Surgeon, and Babu Santimoy Banerjee, Auditor of Co-operative Societies.

(*iii*) Yes.

(*iv*) Since 6th March, 1938.

(*b*)(*i*), (*ii*) and (*iii*), (*c*)(*i*) and (*ii*), (*d*)(*i*) and (*ii*), and (*e*) and (*f*) It is not in the interests of the Union to disclose its business secrets.

(*g*) (*i*) Yes.

(*ii*) No.

(*iii*) Does not arise.

(*h*) (*i*) I have no such information.

(*ii*) Does not arise.

(*i*) (*i*) Yes.

(*ii*) No. The department took action on its own motion.

(*iii*) No.

(*j*) (*i*) Yes.

(*ii*) Rs. 18,877.

(*k*) (*i*) and (*ii*) I have no such information.

(*l*) (*i*), (*ii*) and (*iii*) and (*m*) Do not arise.

Managing Committee of the Edward Coronation Institute, Jiaganj, Murshidabad.

***51. Mr. M. FARHAD RAZA CHOWDHURY:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that the newly reconstituted Managing Committee of the Edward Coronation Institution, Jiaganj, in the district of Murshidabad, is functioning without taking approval for the personnel of the reconstituted Managing Committee from the University of Calcutta?

(*b*) Will the Hon'ble Minister be pleased to state the reasons for not holding a fresh election for electing a representative of the interests of the guardians of the pupils after the disapproval of the first election?

(*c*) Is the Hon'ble Minister aware of a feeling of dissatisfaction amongst a section of the supporters of the school over the matter of not holding the election for one seat on the ground of delay and difficulty?

(*d*) Is the Hon'ble Minister considering the desirability of—

(*i*) taking steps in the matter; and

(*ii*) putting a stop to its recurrence in future?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to starred question No. 525, dated the 8th April, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table:—

(*a*) Yes.

(*b*), (*c*) and (*d*) It has been decided to hold a joint enquiry into the matter by the Calcutta University and the Department of Public Instruction. After the results of that enquiry are known, necessary steps will be taken in the matter.

Grants to certain Madrasahs in Mymensingh.

*52. **Maulvi MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister-in-charge of the Education Department be pleased to state—

(*a*) how many Madrasahs—

(*i*) Junior, and

(*ii*) Senior,

are there in the district of Mymensingh?

(*b*) How many Madrasahs—

(*i*) Junior; and

(*ii*) Senior,

are there in the subdivision of Tangail?

(*c*) How many of them get Government grant-in-aid?

(*d*) The amount of grant-in-aid each of them gets?

(*e*) Whether the Chonbari-Baghbari Junior Madrasah in the Tangail police-station, Shahjani Junior Madrasah in the Nagarpur police-station and Rampur Senior (Old Scheme) Madrasah in the Kalihati police-station get any grants-in-aid?

(*f*) If the answer to (*e*) is in the affirmative, how much does each of them get?

(*g*) If the answer to (*e*) is in the negative, whether the Government are considering the desirability of allotting a grant-in-aid in each case?

(*h*) Are the Government considering the desirability of—

(*i*) increasing the grants-in-aid of the Barga Junior Madrasah (which is being raised to the Senior grade), Dharerbari High Madrasah, Balla, and Tangail town Junior Madrasah; and

(*ii*) granting a capital grant to the Barga, Dharerbari, Chonbari-Baghbari and Shahjani Madrasah towards construction of their buildings?

The Hon'ble Mr. A. K. FAZLUL HUQ: With reference to Starred Question No. 527, dated the 8th April, 1938, to which an *ad interim* reply was given a complete reply is laid on the table—

(*a*) (*i*) 66.

(*ii*) 9 (including 6 High Madrasahs).

(*b*) (*i*) 15.

(*ii*) 3 High Madrasahs.

(*c*) 5 Junior Madrasahs, 1 High Madrasah.

(*d*) (*l*) Tangail Junior Madrasah—Rs. 50.

(*2*) Dharerbari Junior Madrasah—Rs. 70.

(*3*) Brahman Shashan Junior Madrasah—Rs. 40.

(*4*) Jagatpura Junior Madrasah—Rs. 45.

(*5*) Kuraliapara Junior Madrasah—Rs. 45.

(*6*) Karatia High Madrasah—Rs. 120.

(*e*) No.

(*f*) Does not arise.

(*g*) and (*h*) (*f*). The case of a Madrasah applying for grant-in-aid or increased grant-in-aid is considered on its own merit. The cases of Madrasahs referred to will receive due consideration if they apply to the Inspector of Schools, who will distribute the additional allotment that will be placed at his disposal this year.

(*h*) (*ii*) The Dharerbari Madrasah get a building grant of Rs. 2,625 in 1934-35 and 1935-36.

No application for building grants have been received from other Madrasahs. The question will be considered if suitable schemes are matured under the Grant-in-aid Rules.

Special and Ordinary Debt Settlement Boards in Tippera

53. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to lay on the table a statement showing for the District of Tippera—

(*a*) (*iii*) how many applications have been received separately by the ordinary Boards and Special Boards; and

(*iv*) how many of them have been disposed of by the ordinary Boards?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: With reference to Starred Question No. 192 (*a*) (*iii*) and (*iv*), dated the 11th March, 1938, to which an *ad interim* reply was given, a complete reply is laid on the table:—

A statement is laid on the table.

Statement referred to in clauses (a) (iii) and (iv) of the Starred Question No. 192.

(*iii*) 26,567 applications were received by ordinary Boards and 1,591 applications by Special Boards up to the 31st December, 1937.

(*iv*) 1,168 up to the 31st December, 1937.

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